

in the United States Army and place him upon the retired list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 7448) authorizing the President to appoint Charles McKee Krausse a captain in the United States Marine Corps; to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1427. By Mr. BIXLER: Petition of Rotary Club, Franklin, Pa., indorsing Kelly-Edge bill; to the Committee on the Post Office and Post Roads.

1428. Also, petition of members of Gus E. Warden Post, No. 526, American Legion Auxiliary, favoring bonus for World War veterans; to the Committee on Ways and Means.

1429. Also, petition of Gus E. Warden Post, No. 526, American Legion Auxiliary, Department of Pennsylvania, for adjusted compensation; to the Committee on Ways and Means.

1430. By Mr. BRIGGS: Petition of Clarence E. Gilmore, chairman, W. A. Nabors, commissioner, Walter Splawn, commissioner, Railroad Commission of Texas, opposing the passage of Senate bill 2224, to be known as "The railroad consolidation act of 1924"; to the Committee on Interstate and Foreign Commerce.

1431. By Mr. BURTON: Petition of the National Federation of Post Office Clerks, Local No. 72, Cleveland, Ohio, recommending favorable consideration by the committee of the bill H. R. 4123, and setting forth the reasons therefor; to the Committee on the Post Office and Post Roads.

1432. Also, petition of Asbestos Workers' Union, No. 3, of Cleveland, Ohio, urging passage of any resolution authorizing the appropriation of necessary funds to enable the President to send representatives of the United States to the forthcoming international conference; to the Committee on Foreign Affairs.

1433. Also, petition of the Cuyahoga County Council of the American Legion, February 18, 1924, approving the adjusted compensation bill now pending in Congress; to the Committee on Ways and Means.

1434. Also, petition of divers citizens of the city of Cleveland, requesting support of the measure now pending in Congress amending the Volstead act by permitting the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

1435. Also, petition of the Italian Political and Civic Club, of Cleveland, Ohio, opposing the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1436. Also, petition of post-office employees of the city of Cleveland, requesting support of the Kelly omnibus bill providing for a reclassification of postal workers' salaries; to the Committee on the Post Office and Post Roads.

1437. By Mr. CULLEN: Petition of the Gold Star Association of America, New York City, N. Y., favoring the passage of House bill 4109, which authorizes an appropriation to enable gold star mothers, fathers, or wives of deceased soldiers buried in France to visit the last resting places of their dead; to the Committee on Military Affairs.

1438. Also, petition of the Victor H. Bridgman Post, No. 44, Veterans of Foreign Wars of the United States, Brooklyn, N. Y., favoring an adequate readjustment of the salaries of letter carriers and post-office clerks; to the Committee on the Post Office and Post Roads.

1439. By Mr. DOYLE: Petition of the city council of Chicago, Ill., favoring the enactment of legislation that will provide for a flow of 10,000 cubic feet per second through the main channel of the Sanitary District Canal; to the Committee on Interstate and Foreign Commerce.

1440. Also, petition of the city council of Chicago, Ill., favoring an amendment to the transportation act of 1920 as will divest the Interstate Commerce Commission of any jurisdiction over rates of depreciation to be charged by local telephone companies; to the Committee on Interstate and Foreign Commerce.

1441. By Mr. GARBNER: Petition of citizens from the eighth district of Oklahoma, requesting that nuisance and war taxes be removed or reduced; to the Committee on Ways and Means.

1442. By Mr. KIESS: Evidence in support of House bill 1542, granting increased pension to Mary D. Bilbay; to the Committee on Invalid Pensions.

1443. By Mr. KINDRED: Petition of Abraham & Straus, Brooklyn, N. Y., favoring a 1-cent rate for postage; to the Committee on the Post Office and Post Roads.

1444. By Mr. KING: Petition of the city council of Geneseo, Ill., favoring the adjusted compensation bill; to the Committee on Ways and Means.

1445. Also, petition of C. R. Hughes and 30 other citizens of Quincy, Ill., in favor of House bill 184, introduced by Representative McGREGOR, providing for the maintaining and encouragement of the raising of canary birds; to the Committee on Ways and Means.

1446. Also, petition of the American Legion Post No. 45, Galva, Ill., on February 4, favoring the adjusted compensation bill; to the Committee on Ways and Means.

1447. By Mr. McNULTY: Petition of the Federation of Jewish Social Agencies, of Trenton, N. J., against the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1448. Also, petition of the Polish Clergymen's Society, Jersey City, N. J., against the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1449. Also, petition of the Bayonne Lodge, No. 909, F. O. B. B., against the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1450. Also, petition of the Master Barbers' Mutual Aid Protective Union Association, of Newark, N. J., against the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1451. By Mr. PERLMAN: Petition of the board of directors of the American Hungarian Chamber of Commerce, meeting on February 26, 1924, opposing the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1452. By Mr. YOUNG: Petition of 100 citizens of Linton, N. Dak., urging an increase in the duty on wheat from 30 to 60 cents per bushel, the repeal of the drawback provision and milling-in-bond provision of the tariff act of 1922, also urging the passage of the Wallace plan for the marketing of wheat; to the Committee on Ways and Means.

1453. Also, petition of 20 citizens of Wishek, N. Dak., urging the passage of House bill 4523; to the Committee on Ways and Means.

1454. Also, petitions of American Legion Post of Oberon, N. Dak., and petition signed by 162 citizens of Oberon and vicinity, and American Legion Post No. 118, of Gilby, N. Dak., urging the passage of the soldiers' adjusted compensation bill; to the Committee on Ways and Means.

1455. Also, petitions of S. G. Geoertson and D. A. Baertch, of Bismarek, N. Dak., and C. I. Turner and other citizens of Heaton, N. Dak., urging an increase in the duty on wheat from 30 to 60 cents per bushel, the repeal of the drawback and the milling-in-bond provision of the tariff act of 1922, also urging the passage of the Wallace plan for the exporting of surplus wheat; to the Committee on Ways and Means.

1456. Also, petition of 16 ex-service men of Kathryn, N. Dak., urging the passage of the adjusted compensation bill; to the Committee on Ways and Means.

1457. Also, petitions of 25 citizens of Beulah, N. Dak., and vicinity; 11 citizens of Mandan, N. Dak.; 10 citizens of Souris, N. Dak.; and 3 citizens of Westhope, N. Dak., urging the passage of the Norris-Sinclair bill; to the Committee on Agriculture.

1458. By Mr. YOUNG: Petition of W. R. Beyer and other citizens of Fort Totten, N. Dak., urging the passage of House bill 6896; to the Committee on the Civil Service.

#### SENATE.

SATURDAY, March 1, 1924.

(Legislative day of Friday, February 29, 1924.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDING OFFICER (Mr. MOSES in the chair). The Senate resumes the consideration of Senate Resolution 157.

ATTORNEY GENERAL DAUGHERTY.

The Senate resumed the consideration of Senate Resolution 157, submitted by Mr. WHEELER on February 13, as modified by him on yesterday, directing a committee to investigate the failure of the Attorney General to prosecute or defend certain criminal and civil actions wherein the Government is interested.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ferris	Ladd	Sheppard
Ashurst	Fess	La Follette	Shipstead
Ball	Fletcher	Lenroot	Shortridge
Bayard	Frazier	Lodge	Simmons
Borah	George	McKellar	Smith
Brandeggee	Gerry	McKinley	Smoot
Brookhart	Gooding	McLean	Stanfield
Broussard	Hale	McNary	Stanley
Bursum	Harris	Mayfield	Stephens
Cameron	Harrison	Moses	Swanson
Caraway	Heflin	Neely	Trammell
Couzens	Howell	Norbeck	Walsh, Mass.
Curtis	Johnson, Calif.	Norris	Walsh, Mont.
Dale	Johnson, Minn.	Oddie	Warren
Dial	Jones, N. Mex.	Owen	Watson
Dill	Jones, Wash.	Ralston	Weller
Edge	Kendrick	Ransdell	Wheeler
Elkins	Keyes	Reed, Pa.	Willis
Ernst	King	Robinson	

The PRESIDING OFFICER. Seventy-five Senators having answered to their names, a quorum is present. The pending question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, I have been informed that the President pro tempore, Mr. CUMMINS, does not desire to be intrusted with the appointment of this committee. He thinks it had better be appointed by the Senate. Under those circumstances I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Massachusetts withdraws his amendment. The question is then upon agreeing to the resolution proposed by the Senator from Montana [Mr. WHEELER].

Mr. FESS obtained the floor.

Mr. McNARY. Will the Senator from Ohio yield to me for a moment?

Mr. FESS. Certainly.

#### AGRICULTURAL EXPORT COMMISSION.

Mr. McNARY. I ask unanimous consent to submit a report.

The PRESIDING OFFICER. If there is no objection, the report will be received.

Mr. McNARY. From the Committee on Agriculture and Forestry I report back favorably with amendments the bill (S. 2012) declaring an emergency in respect to certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes, and I submit a report (No. 193) thereon.

The PRESIDING OFFICER. The bill will go to the calendar.

Mr. McNARY. I ask that the report be printed.

The PRESIDING OFFICER. The report will be printed under the rule.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. NORRIS. There are two things I want to state.

Mr. FESS. I yield to the Senator from Nebraska.

Mr. NORRIS. The first thing I want to do is to ask unanimous consent to submit a minority report within seven days. I would like to state, so that there may be no misunderstanding, that the minority report does not mean that the minority is opposed to the bill which the Senator from Oregon [Mr. McNARY] has just reported. I will consult with other members of the committee and other Senators before the minority report is made. There is a minority of the committee that favors another bill in preference to the one just reported. There is no misunderstanding in the committee. The Senator from Oregon himself is favorable to the bill I would report, but he prefers the one that he has reported. I want to make that clear.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. NORRIS. I yield.

Mr. ROBINSON. What is the other bill?

Mr. NORRIS. It is known as the Norris bill.

Mr. ROBINSON. Known by some as the Norris-Sinclair bill?

Mr. NORRIS. Yes. While the Senator from Ohio has yielded to me, I want to make another brief statement to the Senate.

The PRESIDING OFFICER. Regarding the same subject?

Mr. NORRIS. No; a different subject.

The PRESIDING OFFICER. Will the Senator permit the Chair to put the unanimous-consent request?

Mr. NORRIS. Certainly.

The PRESIDING OFFICER. Without objection, the Senator from Nebraska is granted unanimous consent to file a

minority report within seven days, which minority report will be printed as part 2 of the report submitted by the Senator from Oregon.

#### PROSECUTION OF CLAIMS AGAINST THE GOVERNMENT BY EX-OFFICIALS.

Mr. NORRIS. Mr. President, several days ago the Senate passed seven resolutions calling upon the various departments for information. The resolutions were introduced by me. I would like to have the attention of the Senate, because what I am about to say is really in the nature of a notice to the Senate. I want the Senate to know what I did.

Yesterday I was called on the phone by the Secretary of the Interior, who told me that to comply fully with the resolution which applied to the Department of the Interior would require two or three weeks' time and take a large portion of his force. He called my attention to the various bureaus and branches of the Department of the Interior and wanted to send up some representative to consult with me about the matter. I asked them to come to my office this morning.

Three representatives of the Secretary of the Interior called on me this morning. They called my attention to the fact that to furnish the information called for by my resolution would, if carried out fully, require an examination, for instance, of all the land offices all over the United States and would require an examination of the Patent Office, the Pension Office, and so forth, and that including in it the ex-Members of the House of Representatives would include several thousand names, for which they would have to make an examination in all the various branches and bureaus of the department.

I made this suggestion to them: They are going to report it to the Secretary of the Interior and also to the heads of other departments, the Secretary of Commerce, and, I believe, one of the other Secretaries, with whom they had conferences, that are in a somewhat similar position. I said that in my judgment, if they had to do that, the information would come very late and would not be so useful, and that the Senate did not care for any information as it applied to certain branches like the Land Office, the Pension Office, and the Patent Office. I suggested that they should eliminate also from consideration under the resolution ex-Members of the House of Representatives. That would take away the largest number for which they would have to search and confine the resolution to ex-Members of the Senate and ex-Cabinet officials. I told them I would call the attention of the Senate to this suggestion, and that in my judgment the Senate would make no objection to that kind of a limitation; that they could make the report that far, and when the report was in, if the Senate desired them to go further, it could so indicate.

So I presume, unless there is some objection from the Senate, the report will come from all the departments confined only to ex-Cabinet officials and ex-Senators. I desired to make that statement to the Senate in order that the Senate might understand the matter.

Mr. COUZENS. May I ask what difference there is between an "ex-Senator" and an "ex-Congressman"?

Mr. NORRIS. An "ex-Congressman" includes both Senators and Members of the House of Representatives, while an "ex-Senator" does not include Members of the House of Representatives.

Mr. COUZENS. Why should ex-Members of the House of Representatives be excluded?

Mr. NORRIS. Mainly for the purpose of carrying the investigation forward without taking so much time and requiring so many employees to do the work. The resolutions call for the names of ex-Senators and ex-Members of the House who within two years after the time they shall have served, beginning in 1918 up to the present, have appeared as attorneys before any of the branches or bureaus of any of the departments of the Government. The House of Representatives is composed of over 400 Members, and there are more changes in that body than there are in the Senate. It may readily be seen that it will take a great deal more time if ex-Members of the House are also included, especially if we go into all the ramifications and branches of the subject.

Mr. COUZENS. But could we not include those who have been Members of the House of Representatives within the last two years?

Mr. NORRIS. Of course, the Senate can take any action it sees proper.

Mr. COUZENS. The practice referred to in the resolution is against the law?

Mr. NORRIS. It is, I should like to have the resolution apply to all ex-Members of the House of Representatives, but that would make the investigation and work of the departments much greater and would take much more time than if we confine it to ex-Senators. I thought, since they are Senate resolutions, it would be very appropriate if we confined the information to ex-Senators; and that the House of Representatives could pass a resolution relative to the matter if it wished to. When the information comes in, if it then only partially answers the inquiry, the Senate may ask for the additional information and in time obtain it.

Mr. COUZENS. Is it the opinion of the Senator that it would impose a very great additional task if we should include in the inquiry those who had been Members of the House of Representatives within the last two years?

Mr. NORRIS. If we should adopt that course, it would lessen the labor imposed by the resolutions.

Mr. COUZENS. I should like to see that information included.

Mr. NORRIS. I should like to see all of that information included, but when I was confronted with the enormous task which was before the departments and the way it would interfere with their routine work I thought that, at least, for the present, we might confine the request for information to ex-Senators and former members of the Cabinet. Then, when the information comes in, we can, of course, later ask for additional information.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMPTON, Mr. MURPHY, and Mr. CARTER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6715) to reduce and equalize taxation, to provide revenue, and for other purposes, in which it requested the concurrence of the Senate.

#### PETITIONS AND MEMORIALS.

Mr. WILLIS presented a resolution adopted by the City Council of Toledo, Ohio, favoring the enactment of legislation granting increased compensation to postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CURTIS presented a resolution adopted by the Horton Federated Shop Crafts, of the Central Labor Union, American Federation of Labor, at Horton, Kans., favoring the prosecution and conviction of persons responsible for the killing and maiming of innocent employees through violation of the Federal laws relative to boiler inspection and safety appliances, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Horton Community Chamber of Commerce, of Horton, Kans., protesting against making any amendment to the transportation act of 1920, which was referred to the Committee on Interstate Commerce.

He also presented a memorial, numerous signed, of members of the Santa Fe Supervisors' Association, of the Atchison, Topeka & Santa Fe Railway system, of Ottawa, Kans., remonstrating against the making of any substantial change in the transportation act of 1920, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Rotary Club of Kansas City, Kans., favoring the enactment of legislation granting increased compensation to postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution of the Independent Order B'nai B'rith, Beth Horon Lodge, No. 599, of Kansas City, Kans., protesting against the passage of the so-called Johnson selective immigration bill, which was referred to the Committee on Immigration.

He also presented a resolution of the Chamber of Commerce, of Marysville, Kans., favoring the passage of Senate bill 1012, creating a Federal agricultural export commission, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the American Legion Auxiliary, Kansas Department, of Topeka, Kans., favoring the acceleration of the work in the Veterans' Bureau and the employment, if necessary, of a more adequate force, which was referred to the Committee on Finance.

Mr. HARRIS presented telegrams in the nature of memorials from Loeb Apte Co., of Atlanta; and of Freeman & Co., T. H. Halliburton, E. M. Burney, Ouzts Mitchell & Whaley, and

Howard Produce Co., of Macon, all in the State of Georgia, remonstrating against inclusion of a broker's tax in House bill 6715, the revenue bill, which were referred to the Committee on Finance.

He also presented telegrams and a letter in the nature of memorials from the Blackshear Tobacco Board of Trade, of Blackshear; E. L. Meadows and S. B. Meadows, of Vidalia; the Chamber of Commerce, the Planters' Tobacco Warehouse, A. W. Gaskins, and the First Bank of Nashville, of Nashville; and A. T. Coppage, the Hahira Board of Trade, and J. E. Massey, of Hahira, all in the State of Georgia, remonstrating against the inclusion of an extra tobacco tax in House bill 6715, the revenue bill, which were referred to the Committee on Finance.

Mr. OWEN presented the following resolution of the Senate of the State of Oklahoma, which was referred to the Committee on Indian Affairs:

#### STATE OF OKLAHOMA, DEPARTMENT OF STATE.

*To all to whom these presents shall come, greeting:*

I, R. A. Sneed, secretary of state of the State of Oklahoma, do hereby certify that the following and hereto attached is a true copy of senate resolution 10, adopted by the senate February 6, 1924, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of State.

Done at the city of Oklahoma City this 12th day of February, A. D. 1924.

[SEAL.]

R. A. SNEED,  
Secretary of State.  
UNA LEE ROBERTS,  
Assistant Secretary of State.

Senate resolution 10 (by Cornett), memorializing the Congress of the United States to defeat that part of Senate bill No. 2065, by HARRELD, which provides for the repeal of 1 per cent gross production tax on royalties received by the Osage Tribe of Indians from oil and gas produced in Osage County, Okla.

Whereas on January 17, 1924, Hon. J. W. HARRELD, of Oklahoma, introduced in the Senate of the United States bill No. 2065, which provides, in part, for the repeal of section 5 of the act of Congress approved March 3, 1921, providing as follows:

"That the Secretary of the Interior is hereby authorized and directed to pay, through the proper officers of the Osage Agency to Osage County, Okla., an additional sum equal to 1 per cent of the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, which sum shall be used by said county only for the construction and maintenance of roads and bridges therein."

Whereas the repeal of said act would mean a great loss to the county of Osage and the State of Oklahoma as well: Now, therefore, be it

*Resolved by the Senate of the State of Oklahoma*, That the Congress of the United States is hereby memorialized to defeat and oppose that part of Senate bill No. 2065 which provides for the repeal of said act of Congress approved March 3, 1921; be it further

*Resolved*, That a copy of this resolution be transmitted to each of the Senators and Representatives in Congress from the State of Oklahoma.

Adopted by the senate this the 6th day of February, 1924.

WASH. E. HOBSON.

*Acting President pro tempore of the Senate.*

Correctly enrolled.

W. C. LEWIS,

*Chairman Committee of Enrolled and Engrossed Bills.*

#### REPORTS OF COMMITTEES.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 1180) for the relief of J. B. Platt, reported it without amendment and submitted a report (No. 194) thereon.

Mr. GEORGE, from the Committee on Military Affairs, to which was referred the bill (S. 1974) providing for sundry matters affecting the Military Establishment, reported it with amendments and submitted a report (No. 195) thereon.

Mr. SIMMONS, from the Committee on Finance, to which was referred the bill (S. 684) to authorize the coinage of 50-cent pieces in commemoration of the commencement on June 18, 1923, of the work of carving on Stone Mountain, in the State of Georgia, a monument to the valor of the soldiers of the South, which was the inspiration of their sons and daughters and grandsons and granddaughters in the Spanish-American and World Wars, and in memory of Warren G. Harding, President of the United States of America, in whose administration the work was begun, reported it without amendment and submitted a report (No. 196) thereon.

## BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 2694) to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes; to the Committee on the District of Columbia.

By Mr. McNARY:

A bill (S. 2695) granting a pension to Adella M. Porter; to the Committee on Pensions.

A bill (S. 2696) making an appropriation for the relief of the Oceanic Shipbuilding Co., of Portland, Oreg.; to the Committee on Claims.

A bill (S. 2697) to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes; to the Committee on Manufactures.

By Mr. NORBECK:

A bill (S. 2698) for the relief of Edward M. Brown; to the Committee on Civil Service.

A bill (S. 2699) to amend an act creating the Custer State Park Game Sanctuary in the State of South Dakota; to the Committee on Agriculture and Forestry.

By Mr. SIMMONS:

A bill (S. 2700) for the relief of J. R. and Eleanor Y. Collie; to the Committee on Claims.

By Mr. FERRIS:

A bill (S. 2701) granting a pension to Amy Clark; to the Committee on Pensions.

By Mr. BURSUM:

A bill (S. 2702) granting a pension to Gabriela Perea; to the Committee on Pensions.

By Mr. SMITH:

A bill (S. 2704) to amend paragraph (3), section 16, of the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. WILLIS:

A bill (S. 2705) for the reward of enlisted men of the Army who have been or may hereafter be awarded the medal of honor; to the Committee on Military Affairs.

By Mr. EDGE:

A bill (S. 2706) for the relief of Emil Schneider; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 2707) placing certain noncommissioned officers in the first grade; to the Committee on Military Affairs.

A bill (S. 2708) to further amend section 4756 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. LENROOT:

A bill (S. 2709) for the relief of Henry H. Hall; to the Committee on Claims.

## MARGIN OR BUCKET SHOP TRANSACTIONS.

Mr. KING. I introduce a bill to prevent the use of the mails and other communication facilities in furtherance of margin or bucket shop transactions. Heretofore I submitted a resolution calling for an investigation of the activities of the stock exchanges. I ask that the bill which I now introduce may be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. The bill will be received, and the reference requested by the Senator from Utah will be made.

The bill (S. 2703) to prevent the use of the mails and other communication facilities in furtherance of margin or bucket shop transactions was read twice by its title and referred to the Committee on the Judiciary.

## PROMOTION OF AGRICULTURE.

Mr. BURSUM submitted an amendment intended to be proposed by him to the bill (S. 2250) to promote a permanent system of self-supporting agriculture in regions adversely affected by the stimulation of wheat production during the war, and aggravated by many years of small yields and high production costs of wheat, which was ordered to lie on the table and to be printed.

## FEDERAL RESERVE BANKING SYSTEM.

Mr. JONES of New Mexico. I submit a resolution and ask that it may be read and lie on the table.

The resolution (S. Res. 182) was read and ordered to lie on the table, as follows:

Resolved, That the Committee on Banking and Currency of the Senate be, and is hereby, directed to formulate and present to the Senate for its consideration a bill which will effectually provide for the use of the surplus and current net earnings of the Federal reserve banking system as a guaranty for the prompt payment of the just claims of the depositors of all member banks of said system.

## HOUSE BILL REFERRED.

The bill (H. R. 6715) to reduce and equalize taxation, to provide revenue, and for other purposes, was read twice by its title and referred to the Committee on Finance.

## ATTORNEY GENERAL DAUGHERTY.

The Senate resumed the consideration of Senate Resolution 157, submitted by Mr. WHEELER on February 13, as modified by him on yesterday, directing a committee to investigate the failure of the Attorney General to prosecute or defend certain criminal and civil actions wherein the Government is interested.

Mr. FESS. Mr. President, I have been content to remain quiet during the months while I have been a Member of the Senate, as I thought it might befit a new Member of the body. I had not intended to participate in this debate at all, and I did not determine to do so until a remark was made at the close of yesterday's session by my friend the Senator from Nebraska [Mr. NORRIS] in reference to the proceedings in the other body on impeachment proceedings. I have reread what the Senator said yesterday, and I now want to absolve him from the first impressions that I had, that he was charging that that proceeding was an unfair and rather a partial examination. The Senator from Nebraska did not make that statement. However, he stated that he had been told that the proceeding was not fair. I think, in view of the fact that such a statement has been made on the floor of the Senate, which gives it a certain prestige and carries with it more or less responsibility, something ought to be said in regard to that proceeding. I assure the Senate that I shall not violate the rules of the Senate in any reference that I shall make in regard to the action of the other House. I shall not only respect the rules as I know them but I shall hope to avoid any insinuation of any sort that might reflect upon any action of any Member of that body.

I watched the proceedings of that investigation as carefully as could any Member of the House of Representatives not a member of the committee. There were reasons for my doing so, because impeachment proceedings are unusual; very few in our history have been a matter of record; and when charges are made such as were made in the House of Representatives against the Attorney General—seven in number, quite severe—it behooved every Member of the House to follow the proceedings carefully, because he was going to be called on to vote on the question.

It has been stated here that the progress of the proceedings turned into a persecution of the proponent of the impeachment resolution. While that is not the case, yet there was a pretty rigid examination and some very sharp remarks were made both in the committee and in the House when the report of the committee was being acted upon. I do not think that any responsible Member of the Senate, either on this floor or outside of the Senate, would want to risk his reputation for fairness by a statement that a committee made up as that committee was made up would be partial in its proceedings.

I should like to refresh the memory of the Senate as to the personnel of that committee. It was headed by Mr. Volstead, who had been a Member of the House for 20 years, who is recognized everywhere as a great lawyer, and who has always been regarded as impartial and very fair-minded. On that committee also was Mr. GEORGE S. GRAHAM, of Philadelphia, eminent in his legal attainments and without doubt one of the great lawyers of the country. On that committee was Mr. DYER, elected from Missouri first in the Sixty-second Congress and, with the exception of one term, continuously a Member of the body since then up to the present time, and still a Member of the House.

On that committee was Joseph Walsh, of Massachusetts, universally accredited as not only one of the best parliamentarians of the House but easily one of the best jurists and one of the fairest of all fair-minded men. I think nobody who knows Mr. Walsh would think for a moment that he could under any sort of pressure be induced to render an unfair decision. The fact of his fairness has been affirmed by an appointment to the judiciary by the late President because of his high eminence in the law, and he voluntarily left the House for that position.

On that committee was the distinguished Member from the Lincoln district of Nebraska, Mr. Frank Reavis, universally accredited an eminent lawyer and a fair-minded jurist. I am sure that those who know Frank Reavis as I know him would not for a moment charge him with anything that is unfair, especially in a judicial proceeding.

On that committee were such men as David G. Classon, of Wisconsin; Judge BOIES, of the Sioux Falls district of Iowa; Mr. CHRISTOPHERSON, of the Sioux Falls district of South

Dakota; ex-Gov. RICHARD YATES, of Illinois, son of former Governor Yates, the war Governor of Illinois. Mr. YATES twice was elected as Representative at Large from the State of Illinois and, without doubt, if he is a man with an unfair mind he would not have secured such an indorsement as his enormous majority indicated at the polls in that election.

On that committee also was Mr. Goodykoontz, of West Virginia; Walter Chandler, of New York; IRA G. HERSEY, of Maine; my own colleague, Mr. FOSTER, of Ohio; Mr. MICHENER, of Michigan; and Mr. HICKEY, of Indiana. I know all of these men personally and professionally. I am certain that none of them is capable of sitting on a case like this and rendering a partial decision from the facts that are adduced.

But, Members of the Senate, I am not satisfied to limit the observation to these members. I wish to call your attention to Mr. HATTON W. SUMNERS, of Texas, one of the brainy men of the other body, one of the clearest-headed men whom I know, and without doubt free from anything that would lead him to a partial decision when a man's reputation is at stake. I have known this man as a leader along lines on which he has impressed himself on the country.

Mr. CARAWAY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Arkansas?

Mr. FESS. I yield.

Mr. CARAWAY. I will ask the Senator if Mr. SUMNERS did not disagree to the report of the committee?

Mr. FESS. Mr. SUMNERS disagreed with the committee on just one question.

Mr. CARAWAY. On every question.

Mr. FESS. He disagreed on one question. Mr. KELLER refused to come before the committee to testify upon the charges he made, at the same time indicating that he had the facts to prove them. Mr. SUMNERS wanted Mr. KELLER subpoenaed, but the committee voted that it was not the proper function of the committee to subpoena a Member of the House. Mr. SUMNERS disagreed with the committee on that one point, but agreed with the committee upon the question of discharging the committee from further consideration of the measure.

On that committee sat Governor MONTAGUE. Need I make any comment on this ex-Governor of Virginia, who was appointed by Grover Cleveland district attorney in the Old Dominion State, who was elected by his people as State's attorney, a position which he held for four years; who was elected Governor of the State of Virginia, and reelected; stood as a delegate at large in the national convention of 1904; came to the House of Representatives, where he was recognized by everybody, Democrats and Republicans, as one of the fearless men of that body, and without a doubt to-day he is one of the most promising, forward-looking, and eminent statesmen of either branch of Congress? He not only voted to discharge the committee from further consideration of these charges, seven in number, but he made an eminent argument on the floor of the House, pointing out that there was no foundation whatever for the charges that had thus been made.

Who is there on this floor that would charge that Governor MONTAGUE is a partial-minded man, or that he would render an unfair decision upon a matter of this sort? It strikes me, my colleagues, that the Senate is reaching a rather low level. I hope this is not the school of scandal. I hope it is not the sluiceway through which flow all sorts of charges, supported and unsupported, to bring discredit in the minds of the public against public men. I sincerely hope that this distinguished body is not to-day on trial before the public mind, wondering whether, after all, everybody connected with the Government is not crooked, because of irresponsible statements that are bandied first from one to another and then vice versa. The United States Senate is remembered to-day only by those who read the textbooks as the forum in which operated the Calhouns, the Clays, the Websters, the Searns, the Shermans, men of the type whose utterances to-day are commonplace, read by the children of our land whose only conception of the United States Senate is that received from reading those utterances. I sincerely hope that the public mind is not being diverted from the standard reached by this body under the leadership of such men as have made it distinguished to the low level where we are not a legislative body, if we judge from the events of the last two months; we are not a deliberative body, if I have a right to judge from what I have seen in the last two months; but we are an inquisition, and we have become a sluiceway, and if suspicion is raised against any man the only qualification is, "Has he entered public service?" Has it come to the point where the only safety is for a man to be a pauper, a do-nothing, a nonentity; otherwise he is to be charged

with being subject to the predatory interests of the country and with undertaking to cover up what ought to be uncovered? I say, Mr. President, that this proceeding for the last two months has been a shame and a disgrace to America, and we ought to be ashamed of such a performance as has gone on.

I absolve certain things that have been done. I want to let it be known, as I have let it be known to the public, that the attitude of the senior Senator from Montana [Mr. WALSH] is most admirable. He has done a service to the country. The only thing that was in that joint resolution, for which I voted, that I wished had come out of it was the preamble. While it is not my business and not my province and probably not my privilege to comment upon certain things that I think ought not to take place in this body, yet it seems to me that we ought not to permit a resolution to be a means by which the preamble can drag all sorts of stump speeches into legislation. So far as I am concerned, in committee or out, I shall use my influence to prevent that; and if resolutions coming to the committees of which I happen to be a member persist in dragging in irrelevant and unauthorized and irresponsible utterances in the form of stump speeches, I shall reserve my right to vote against the resolution in the committees, and if I am doing wrong I am ready to resign from the committees.

Legislation should have a certain standard, and it should not stoop to the level of charging everybody irresponsibly, and assuming that those charged are guilty, when everybody knows that the genius of American liberty is to presume that the one charged is innocent until he is proved guilty. The only thing that I did not like in the joint resolution of the Senator from Montana was the preamble. We could not take that out; but with it in, rather than be misconstrued as being opposed to investigating the legality of these leases, I joined with other Members here, and voted for it.

Mr. President, what I am saying is not against investigations. What I am saying is not against what the Senate did on the leasing resolution. I have no doubt that had it not been for the leadership of the distinguished Senator from Montana [Mr. WALSH], we should have been thrashing out this thing on this floor, as if the Senate were a mere inquisition; but he took the lead to say, "This is not a legislative matter." I use his words. "This is a judicial matter. This is not for the Senate. This is for the courts"; and he proceeded upon that basis, and we all joined him, ready to go to the courts to determine the legality of these leases. While I am not going to prejudge, I shall not be at all surprised if, when the matter is tested in the courts under the direction of the strongest legal talent that we could secure—securing one eminent lawyer from Pennsylvania, and a very eminent lawyer from my own State—I should not be surprised if, when we go into the legality of those leases, they should be found to be legal. I mean by that that after all our province is to see that the court, which is the right process, shall determine the legality or otherwise of these leases. That we voted for; but see the limit to which we have come! As soon as that decision was made, then comes in a resolution to call upon the President, to direct him or invite him to ask the withdrawal of a member of his Cabinet.

Mr. President, the one feature that differentiates the American system from every other government on earth is the coordinate equality of the departments of government. That is the one thing that distinguishes us from every other government. Lord Bryce, in his American Commonwealth, commented upon that beyond any other foreign publicist who is living or has lived. In that work he said that in the respect that each government has the legislative, executive, and judicial functions, we are not different from any other government of history, for all of them have the three functions. It was Blackstone who said: "Intelligence to make the laws, good will to interpret the laws, and power to enforce the laws"; but some governments put the three in one. There you have a despotism, if the power goes to the executive. Other governments put the three in the legislative, as is rapidly coming to be the case in Great Britain. Therefore Great Britain in many respects is more democratic than is our country.

Great Britain's power, both in legislation and interpretation and enforcement, is not only in Parliament but it is in the House of Commons. It is America, our Government alone, that makes an executive here, a legislative there, a judicial elsewhere, each independent, each interdependent, no one consulting the other in the province of exercising its function. And yet, with that the very genius of American life, here we have this body sending to the President a resolution directing or inviting him to withdraw from his Cabinet a member that certain people here think can be played upon for political

purposes. We not only voted for that resolution, but we went further and voted to send it to the President, inviting him to give us the spanking that we so well deserved, and that we got.

That is the next step that was taken. Now comes this one—the step that is pending here to investigate the Attorney General.

Mr. ADAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. FESS. I yield.

Mr. ADAMS. I should like to ask the Senator whether he thought the President was acting within his rights when, in his New York speech, he asked the people of the country to write to Congress and advise them what they should do in matters of legislation?

Mr. FESS. I do not know whether the President made any such statement as that. I heard the speech myself. I do not now recall any such statement. If he made that statement I should criticize it. I was one of the men in the other body who called attention to the tendency to extend the executive function over the legislative in the last administration, and I did it, not because I disliked anyone but, on the other hand, because I admired greatly the man who was doing it.

This resolution now comes on. I have no objection to it. This is what the Attorney General would like to have done. He wants the right that is guaranteed to us, that everyone charged shall have a hearing. I wonder with what interest our Democratic friends recall the terrific fight that was made in the Constitutional Convention and immediately afterwards, on establishing a bill of rights. Only a short while ago I heard a distinguished Senator make a very eloquent speech that I greatly enjoyed, and everybody present was edified. In that speech he exalted the idea of the civil rights bill, and he accurately and authoritatively quoted George Mason, of Virginia, as the author of the famous civil rights bill that was adopted even before the Declaration of Independence was adopted.

As he said, that has come to be the civil rights statement, or the bill of rights statement, in almost every State constitution of the 48 States of our great Nation. The civil rights bill was not put into the Constitution of the United States. A terrific fight took place as to whether it should be made a part of the Constitution. Certain elements in the convention said that the Bill of Rights had no part as an organic portion of the instrument, and they suggested that, instead of making the Bill of Rights a part of the organic law, it be submitted in the form of amendments, and that the States be allowed to pass on those amendments. Twelve amendments were submitted, 10 of which were adopted, and those 10 are the famous Bill of Rights which was originally outlined by the great Virginia statesman and which have been applauded ever since by Democratic leaders, especially by Thomas Jefferson, who was not a Member of the Constitutional Convention, but who was a close student of what was going on.

What is in that Bill of Rights? The very first item is the right of liberty of religious worship; then the right of liberty of expression, then liberty of assembly, and liberty of the press. Then there is a provision that the home shall be protected, and following that the fifth and sixth amendments, which guarantee to anybody charged a presentation of the charges against him and a trial by an impartial jury.

Members of the Senate, that is fundamental in America; that is the very genesis of our institutions; and this body is not going to deny the right to be heard to one charged with an offense. Neither will they, I hope, create a committee which is prejudiced one way or the other so as to defeat the fair, impartial trial of the case.

I have read the names of those suggested for the committee, and I have nothing to say against the personnel. I would have preferred that some one less convinced that there is guilt already, without any investigation, be placed on it than my good friend the junior Senator from Montana [Mr. WHEELER], although I am willing, naturally, to submit to what the Senate shall do.

I have absolute confidence in the good faith of and have the greatest admiration personally for my friend the junior Senator from Iowa [Mr. BROOKHART], a lovable character; yet he will not take offense when I say to him that I would prefer to have the senior Senator from Nebraska [Mr. NORRIS] on the committee, who took exception last night to certain things, for the reason that my friend from Iowa has been for years connected in his life and thought with certain drifts in industry which make certain acts of Mr. Daugherty very offensive to him. I hope that the members of the committee will not be so prejudiced that fair treatment can not be given, and I hope I am saying nothing offensive to the Senator from Iowa.

I am not speaking as a partisan of Mr. Daugherty. As those who know me best know, and those who do not know me so well will learn, I have never been one of the great admirers of Mr. Daugherty; but I have never doubted his honesty, I have never doubted his probity, I have never doubted his integrity, and, as far as I can, I shall go to the limit to see that he be given a fair trial. I mentioned the senior Senator from Nebraska, because I have known him for so many years; I know him as a fighter; I know him as a four-fisted fighter, but never striking below the belt. That is the reason I hope the senior Senator from Nebraska may go on this committee.

I shall not resist the resolution. I shall vote for the investigation to go on. I do, however, want to absolve the committee in the other House from being a prejudiced committee or rendering a partial decision. Certain charges were made. They were gone into. There were 21 members of the committee, which was a standing committee, and one of the biggest in the House. Every member of the committee was a lawyer, every one a lawyer of distinction. They came out of the committee with a report. One man voted against the resolution to discharge the committee from further action, while the others stood against the charges being at all established, and therefore voted to dismiss them.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. FESS. I yield.

Mr. WILLIS. Just at that point, does my colleague recall the vote in the House on the committee report?

Mr. FESS. The vote was 206 to 78, and among the 206 were a great many Democratic Members.

Mr. ADAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. FESS. I yield.

Mr. ADAMS. Before the Senator concludes I want to verify for his recollection the portion of the President's speech in New York to which I have referred and which appears at page 2384 of the Record. He stated:

But the people of the Nation must understand that this is their fight. They alone can win it. Unless they make their wishes known to the Congress without regard to party, this bill will not pass. I urge them to renewed efforts.

Mr. FESS. I state to the Senator from Colorado that I still question the wisdom of the statement. The Senator will see that that is only expressing the right of petition, which we find guaranteed in the first amendment of the Constitution. However, I doubt the wisdom of the President even taking that position over the legislative body. I say that frankly; I would say it against any President.

Mr. ADAMS. May I be permitted to say just a further word? If the Senator will pardon me, I think that answers in part the argument he made, that if the President feels that it is proper to have his opinion not only expressed by himself to Congress but reinforced by his urging upon the public, which certainly is a path which he has laid out, it is not improper for Congress to follow in expressing their opinion as to matters which they have investigated in order that he might have the benefit of the opinion of Congress, not that Congress is trespassing upon his constitutional powers, but merely expressing to the President their opinion, based upon matters which the Congress has investigated in the exercise of their constitutional powers.

Mr. FESS. The Senator from Colorado will recognize that the Constitution authorizes the President to make his views on the state of the Union known to the Congress. He does it either through a written statement, in the form of a message, or a spoken statement from the desk. Everybody admits that is a proper function. I think most people also would say that the right of petition could be recommended by the President. I have my serious doubts as to whether the President should do it.

Mr. ADAMS. Would the Senator go far enough to say that the President would have power to have a bill drafted down to the final dotting of the "i's" and crossing of the "t's," and sent to Congress, and then insist that the country coerce Congress, the legislative body, into passing that particular measure?

Mr. FESS. I do not know that anybody ever did that except President Wilson. I do not suppose anybody else would do it.

Mr. ADAMS. On my desk is a copy of the Mellon plan, prepared in one of the executive departments and sent here, as I understand it, with the determined effort that the bill shall be passed just as drawn and just as submitted to Congress.

Mr. FESS. I would say to the Senator from Colorado that if it passes just as it was drafted, it will not be because it was written by the Secretary of the Treasury or recommended by the President; it will be the judgment of the House and Senate, in their decision, and then the President has the legislative function, if he wants to exercise it, either to sign or veto the bill. That, in my judgment, is the legitimate course to be pursued by both Congress and the Executive.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. FESS. I yield.

Mr. WALSH of Massachusetts. The Senator has made a very severe arraignment of the Senate. I never have heard a worse one. He has said that the proceedings in this body for the last two months have been disgraceful and scandalous. Granting that, I hope the Senator will not take his seat until he admits that the proceedings disclosed before the Committee on Public Lands and Surveys were scandalous and disgraceful, and perhaps the Senate had some reason for its conduct, considering the subject matter it had to deal with.

Mr. FESS. I would say to the Senator from Massachusetts that if he wants to be regular and deliberative he will wait for the report of the Committee on Public Lands and Surveys and then act upon their report. He will not drag in a lot of unsubstantiated rumors and undertake to establish the facts by a mere whispering campaign, as this thing has become.

Mr. WALSH of Massachusetts. Was not the resolution we adopted reported from the Committee on Public Lands and Surveys?

Mr. FESS. It was.

Mr. WALSH of Massachusetts. Does not everybody in the country know that for the first time in years a Cabinet officer has corruptly transferred irreplaceable assets of the Government? Why does not the Senator denounce those responsible for the public scandals instead of reflecting on the conduct of the Senate?

Mr. FESS. The Senator is gratuitous in that. He says "everybody knows." If everybody knows, why should we have the investigation? We are waiting for the proper procedure in a court of justice to determine the facts, and when those facts are in, then the Senator can make his speech, and he probably will revise his utterances.

Mr. WALSH of Massachusetts. Does anybody dispute now that a member of the Cabinet received money improperly for transferring assets of the Government to private interests? Does the Senator dispute that? Does he want more evidence along that line? The Senator apparently has no words of condemnation for the fraud and corruption that has caused the Senate to act.

Mr. FESS. I would say to the Senator from Massachusetts that when we reach the point of saying "Does anybody dispute it?" I do not dispute it, but I do not assert it. Neither can the Senator assert it until the facts are all in.

Mr. WALSH of Massachusetts. My purpose in asking the Senator the question was to have him at least find some justification to the body of which he is a Member for the conduct he describes, in view of the disclosures which have shocked the country, and which naturally would be reflected here by very sharp, intense, and bitter debate.

Mr. FESS. Mr. President, in all matters of this kind the difficulty is that a man's views are always colored by the thing in which he is interested and the subject that is being discussed. We can not view the situation throughout the country from Washington. We can not view it from the Senate. There is not a man here who knows the situation throughout the country. Let me illustrate what I mean.

Here is a letter, only one letter of many that come to my desk, asking, "What is the situation in the Senate?" In part, the letter reads:

It occurs to me that a lot of Senators have a serious case of hysteria, and are exploiting themselves in a way that would better become a corner grocer than what should be a dignified Senator. This is also true in some respects of the other body. It is exasperating to the men of the country to witness such an exhibition of petty politics as now disgraces both the Senate and the House. This is the time for exhibitions of some common sense.

That is only one letter coming from men of balanced minds who believe that the Senate of the United States is to-day on trial. I need no further evidence than the testimony of men who sit in this body who are being thoroughly disgusted with what is going on from day to day, and it is on both sides of the Chamber. It seems to me that it is about time for the Senate of the United States to get back to something like the Constitution that created it. So far as I can go, I propose to vote for

the investigation, and I also will vote for the prosecution to the very limit of anyone found to be guilty, but I will not allow any manufactured clamor nor any petty politics nor any organized political régime to lead me to vote against the integrity of a man and assassinate his reputation without his having first a trial. That is un-American, and we ought to be ashamed of such procedure.

Mr. CARAWAY. Mr. President, one shudders to think of what would have happened to the Senate if the distinguished Senator [Mr. Fess] who has just taken his seat had not come here. All intelligence and all decency reside with him. All sense of propriety he possesses, and both sides of the Senate are devoid of the dignity they should have and the sense of justice that should actuate them, and therefore, like the schoolmaster, he reads the Senate a lecture.

But I want to say that nobody ever heard of the Senator from Ohio lecturing the Senate except when the Senate was trying to prosecute criminals, and criminals that belong to his party. His first speech in the Senate is to defend the Attorney General, because that is all it means. It is to lecture the Senate so that it shall pack the jury. I think everybody understands the Senator from Ohio and his purpose in reading the Senate a lecture this morning.

He read the Senator from Nebraska [Mr. NORRIS] a lecture about discussing the Judiciary Committee of the House as not being quite fair and undertook to show that it was fair and eulogized the membership of that committee. I served six years on that committee. He began by saying—and that is as near the truth as anything else he said—that Mr. Volstead was a great lawyer. God bless your soul, Volstead could not get a license to practice law anywhere unless by waiving his examination. I know something of Volstead. If he were now a Member of the House, I could not discuss him; but to call him a great lawyer is such a flight of imagination that even the Senator from Ohio, I should have thought, would have paused a minute before he paid that tribute.

It may be that the Senate is hysterical. If it is, it is hysterical in trying to see that crime shall be punished and the people's property protected. Only two Senators on the other side are hysterical, like the Senator from Ohio, in seeing that nobody is punished and no public property restored. He ventured the assertion that the contract made by Fall to Sinclair was legal, and even that Doheny and Sinclair were rightfully in possession of Teapot Dome and reserve No. 1. Now, we are apt to find out that Fall, who will not tell where he got the money and first told a deliberate falsehood about it, had an absolute right to sell our naval reserves and sold them legally, and that Sinclair and Doheny had a right to buy them. The people would get a fair trial with a jury of such distinguished men as the Senator from Ohio. The public rights would be preserved and criminals would tremble with that kind of an apologist in the Senate for men who corrupt public officials and for corrupt considerations sell the public property and endanger the very life of America by selling every drop of oil that was to steam our ships in time of war.

We are to hear a lecture of the Senate upon propriety. Oh, you know if we all had such propriety, the people would have some right, indeed, to suspect the Senate did not function, as the Senator from Ohio said. I am sure the Senator from Ohio would entirely approve of what is now disclosed to be a fact, that the Department of Justice turned over the secret code so that the criminals who were being pursued might keep in touch with the Department of Justice and by it be protected.

I should say that the Senator from Ohio could find no more appropriate occasion to rise than in view of that disclosure. He says he wants to vouch for the absolute integrity and high character of Mr. Daugherty, and here we are confronted with the fact that not only did Mr. Daugherty do nothing to help fathom the crookedness of public officials, to help restore public property stolen from the public, but he, on the other hand, lent positive aid by loaning the secret code of the Department of Justice to the criminals in Florida to communicate with criminals in the Department of Justice so that no investigation could be had and no disclosures had. Upon that disclosure the Senator from Ohio rose and said the Senate was hysterical and the Attorney General honest. That sort of recommendation ought to go a long way with everybody. I do not know and the public does not know what all the facts are.

Even Mr. Wile, who is the mouthpiece of the President since he got a cup of coffee and a sandwich on the *Mayflower* one day, is out in an article this morning—and I hope the Senator from Ohio will read him a lecture for being hysterical—saying that Cautious Cal is also growing nervous, because under the headline, "The President will strike soon for clean régime," Mr. Wile has the following to say:

Calvin Coolidge within a comparatively few weeks will take action in connection with current events at Washington designed to justify the confidence which he feels the country has in him.

A few weeks? How many weeks nobody knows, but sometime, when the cautious President shall have waked up, he is going to say something. Oh, I wish the Senator from Ohio would go down there and say, "Now, Mr. Coolidge, do not get hysterical. Take your time. Do not be swept away by the hysteria or by thieves stealing the public property, but wait. Oh, wait a few months, and after awhile the thing may blow over," because that is the hope of those people who are talking about hysteria now. The article goes on a little further and says:

To nobody, not even his most intimate advisers, has the President thus far confided the nature of the step he will take. Only so much can be said—

Here is where the hysteria comes—

and it is stated on high authority that before May 1, or perhaps much sooner than that, Mr. Coolidge will resort to measures of a positive kind.

I am so glad that he is not going to be swept away by that hysteria that so excites my friend from Ohio. He is going to take until May 1, but nobody knows what he is going to do. In the meantime he sits in the White House and leaves unanswered the statement that in this important investigation the man who was in the worst of it should have easy and quick access to the White House, because in a telegram sent from Washington one of the reasons urged for putting the private wire of Mr. McLean was "so that you may have quick and easy access to the White House."

They put in charge of that wire the man who was in charge of the confidential wire in the White House, so that there could be no misunderstanding. The same man handles both messages, and he will know what McLean says to Fall and what Fall said to Mr. Slomp after he went to Florida, and for what purpose Slomp was going. They even sent a code message to say to Mr. McLean in Florida that the Senator from Montana [Mr. WATSH] is taking the 10.35 train. Not a thing could happen but what they were informed, and in order to make the matter absolutely quick and sure they say, "You put in a private wire, and you will have quick and certain connection with the White House."

Oh, if it were not for exciting the distinguished Senator from Ohio to the same kind of hysteria that he so much condemns and so aptly illustrates, I would like for the President to say whether or not he had any communication with those people in Florida. I think he owes it to 100,000,000 of American people, who are swept, as the Senator from Ohio said, by hysteria, to say whether there is anything in the statement that "We want the private wire so we can have quick and easy communication with the White House."

I want to know—and I know the Senator from Ohio condemns me for asking the question—what right Mr. McLean has to have "quick and easy" access to the White House when he was shielding as best he could a criminal that he knew to be a criminal? I would like to know, if it is not too agitating to the Senator from Ohio, who is afraid everyone is going to grow hysterical except himself, why the Attorney General should turn over the secret code to enable criminals and their aiders and abettors to frame a defense? The Senator from Ohio will tell me to wait until the committee shall report.

I remember that same argument was made when I introduced a resolution to cancel the leases. The distinguished Senator from Wisconsin [Mr. LENROTH] said that it was a reflection on the committee and ought not to be urged at that time. I know he thought it, but I know, also, that after awhile everybody got interested and even those gentlemen who abhor hysteria voted for a resolution to employ lawyers to try to cancel the leases which the Senator from Ohio now feels are legal. I will say to the Senator from Ohio that I would have the courage of my hysteria. I would not have voted for the resolution to have canceled a lease I thought was legal. I would not have stultified myself. I would have been the one outstanding Senator in the Senate. I would have risen in my place and said to the country, "I think this transaction between Fall and Sinclair was proper; I think Fall ought to have sold the leases; I think he ought to have been paid for them, and since I believe that I will not be hysterical; I will be courageous; I will show the country what a Senator ought to be. I vote 'no.'" But the Senator did not do it. He swallowed it absolutely, preamble and all, and to-day is the first time that the waiting country ever knew that the Senator from Ohio did not believe in the preamble as much as he believed in the resolution.

Oh, it is so wrong for the Senator from Ohio, on whose words the country hangs, to have concealed from the public all these weeks that he did not believe those contracts were conceived in fraud and carried out in iniquity. He did not believe in the resolution for which he voted, and he did not believe that the hysteria that swept the Senate, which is asking for fair play, asking for justice, ought to be heeded. He read a letter from somebody, whose name I do not believe he gave to the Senate, commending his course. I will wager that the man said, "Don't tell on me, because nobody believes it when I say that the people are condemning the Senate for being honest and upholding the Attorney General for being a crook."

I am not going to discuss very much more the committee's action in the House in whitewashing Mr. Daugherty. There is not much to say about it. I am entirely familiar with the personnel of the committee. I do know what Mr. WOODRUFF, a gentleman that did more than the Senator from Ohio ever did in his life and got every vote in his district when he ran for Congress, said about it. Of course I was on the committee at one time, but I got off of it.

Oh, I know what Mr. WOODRUFF said. I consulted with him, as I did with other people. He said they would not hear KELLER; and I know, if the newspaper stories may be believed—and I do not see any reason why they may not be—it never was an investigation of Daugherty, but it was a browbeating process of destroying KELLER. Then the chairman wanted to put KELLER on trial because he would no longer submit to a heckling that no self-respecting white man would submit to.

However, this is one of the smoke screens about which the senior Senator from Ohio [Mr. WILLIS] talked so much yesterday as being thrown up. I should like the distinguished Senator from Ohio, when he gets over his hysteria, to tell the Senate what this telegram means. It was sent by Bennett to McLean and is dated January 29, 1924:

Saw principal; delivered message. He says greatly appreciates and sends regards to you and Mrs. McLean.

Now listen to this:

There will be no rocking of boat and no resignation. He expects reaction from unwarranted political attack.

Who is the "principal"? Who knows whether there will be any resignations or not? Who knows there will be "no rocking of boat"? Without so much agitating the Senator from Ohio, who knows everything and modestly admits it, I should like for him to say who is the "principal." Who is it that knew that nobody was going to be put out of the Cabinet? Who knew that nobody was going to "rock the boat," and who was praying that this political agitation, this hysteria, would soon pass away?

I say, Mr. President, if it is hysteria which has swept the country, every honest man except the Senator from Ohio should thank God that hysteria swept the Senate one time, because if it had not been for the hysteria in the Senate there would have been no disclosure of the treason on the part of the former Secretary of the Interior, Mr. Fall; for everybody knows that the Attorney General, if he had been in possession of the facts would not have done it, because he permitted his agent, Mr. Burns, to turn over to the friends of the accused the private code and inform them of every step that was being taken and instructed them to be very cautious. They sent a wire down there, "Do not even mention 'peaches' or 'apricots' or 'pears' in anybody's presence for fear somebody will know that you have got the code." That is what it means. "We have given you this code now, and don't go around talking, lest somebody should find out that you have it." They mention "ducks." I guess that was hysteria. They started talking about "ducks" and "peaches" and "pears" and "apples" and sending code messages.

Mr. WHEELER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Montana?

Mr. CARAWAY. I yield.

Mr. WHEELER. Does not the Senator know that the man who is referred to as Duckstein is the private and confidential secretary of Mr. McLean?

Mr. CARAWAY. No; I did not know that.

Mr. WHEELER. Does the Senator know that Mrs. Duckstein was, up until about December, the confidential secretary for William J. Burns and is now an operative in the Department of Justice?

Mr. CARAWAY. I hope the Senator from Montana is not trying to sweep me into hysteria. [Laughter.] Mr. Rochester is the private secretary and publicity agent for the Attorney General, is he not?

Mr. WHEELER. I think so.

Mr. CARAWAY. And he sends messages. Of course, that is entirely proper; we have never heard the Senator from Ohio object to that at all. There is no hysteria in the department protecting crooks. It is only hysteria when the people try to regain their property and to punish criminals. That is hysteria.

Mr. NEELY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from West Virginia?

Mr. CARAWAY. I yield.

Mr. NEELY. Does the Senator from Arkansas in saying that "that is proper" mean that it is proper to "play ducks and drakes" with the Department of Justice?

Mr. CARAWAY. The Senator knows it is worse than that, but that meets the approval of the Senator from Ohio [Mr. Fess], I am sure, because the Senator from West Virginia can not be unmindful that the Senate, including the Senator from West Virginia, has been lectured by the Senator from Ohio as being irresponsible and hysterical and a disgrace and a shame and infamous, and in the same breath, almost, he smiles and said, "I have known the Attorney General and he is a man of upright character and unimpeachable integrity."

Mr. WHEELER. And "as clean as a hound's tooth."

Mr. CARAWAY. It was the senior Senator from Ohio [Mr. Willis] who characterized the Attorney General as being "as clean as a hound's tooth." The two Senators from Ohio are not hysterical. Oh, no; they are not subject to hysteria; but they certainly are agitated when there is any effort made to find out what is Mr. Daugherty's connection with this matter. I defy either one of them to point out a single act of his, or to call attention to a single word that he ever uttered that helped in any way to uncover the sale of public property or to forward in any manner the investigation to ascertain, first, to what extent the corruption extends, and, secondly, to punish the people who are guilty of the offense.

It is not hysteria when one takes that side of it; when one stands with Fall and McLean and the Attorney General and helps them, as the Senator from West Virginia [Mr. NEELY] says, to "play ducks and drakes" with the people's rights. That is manifesting statesmanship; that is standing by the Constitution, the Senator from Tennessee [Mr. McKEILAR] suggests, having in mind, probably, the touching lecture which the Senator from Ohio gave us a moment ago about the Bill of Rights. If it were not for probably being suspected of being hysterical, I should like to move some time that the Senate have night schools and get the junior Senator from Ohio to read us a lecture on the Bill of Rights and the protection which ought to be thrown around crooked officials when they are found betraying their country. He would be a very apt teacher, I am sure.

Mr. STANLEY. The fourth amendment to the Constitution is a part of the Bill of Rights.

Mr. CARAWAY. Yes; but the Senator from Kentucky must not talk about the Constitution; he has not been constituted the guardian of the Constitution; he has not the proper viewpoint; he believes that crime is crime and that people who betray their country are guilty of wrongdoing; he is subject to hysteria; he must sit at the feet of the Senator from Ohio and learn to look with dispassion upon traitors and with approval upon the betrayal of public trust and spread the mantle of charity over every criminal, provided the criminal is from Ohio—and there will be a pretty large mantle needed. [Laughter.]

#### REPLYING TO SENATOR FESS OF OHIO.

Mr. HEFLIN. Mr. President, the people of the country who are really interested in what some Senators are trying to do here to prevent corruption in Federal office in the future and to punish those now in office who are guilty of corrupt conduct will read with interest and approval the able and timely speech of the Senator from Arkansas [Mr. CARAWAY]. The Senator from Ohio [Mr. Fess] scolds the Senate and lectures the Senate, as the Senator from Arkansas has said, and severely criticizes the Senate for what has been transpiring here for the last two or three months, as he puts it. I believe the Senator from Ohio referred to the proceedings as being disgraceful.

Mr. President, it is unpleasant to us to have to go into the very disgraceful conditions that have been uncovered among Republican officials high in authority. But somebody has got to do it. A grave responsibility rests upon every Senator in this body. The Department of Justice, the President admits, would not function properly, and so he employed two attorneys to represent the Government in the oil-scandal cases. The Senate of the United States, the Senator from Ohio included, authorized the selection of two attorneys outside of the De-

partment of Justice to represent the Government. That act was a reflection upon Mr. Daugherty; that was a confession on the part of the Senate and the President that he was not the proper man to represent the Government in these cases. If the Department of Justice will not function and if the President feels that it is necessary to employ counsel outside to represent the Government and the Senate feels that way about it, the country is justified in asking, Why does the President continue to keep Mr. Daugherty at the head of the Department of Justice? What are we to do when officials accept bribes? What are we to do when they betray their trusts? Are we to sit here under such shameful conditions with folded hands and sealed lips and do nothing? Mr. President, if we did that the country would have good reason for saying the Senate itself is corrupt; but, thank God, there are Senators here who are foot-loose and free to fight to a finish the big, crooked interests and those that they corrupt in high office.

I know that it is disagreeable to the intensely partisan spirit of the Senator from Ohio to hear coming out day by day these astounding facts that involve the Republican administration. It is unpleasant and disagreeable to the Senator from Ohio to hear here day after day startling and astounding facts brought out that disclose scandal and corruption in the very citadel of the Republican Party. But ill does it become him in the face of the mighty facts already disclosed to undertake to lecture Senators who have the decency and the courage to fight crookedness and corruption wherever found.

The Senator from Ohio says that it is bad for the children of the country to read about the terrible things that are being discussed here. I confess that it is bad for them. Yes, indeed, unfortunate for them and all the people of the United States that conditions are so rotten as to make it necessary to discuss them. They are reading about it not because of any wrongdoing on the part of the Senators whose duty it is to discuss it but because of the crooked and corrupt conduct of unfit and unfaithful Republican officials. But for the disgraceful conduct of Denby and Fall, two members of the Republican Cabinet, and others connected with this national scandal, there would be no occasion for worry about what the youth of the country may read or not read concerning the debates that take place in this body. The Senator from Ohio need not think that the Senate will permit Republican officials to prove unfaithful and be corrupt in office and get away with it because, forsooth, the children of the country might read about the discovery and punishment of crooks in office. The way to keep wholesome newspaper articles before the eyes of the children of the country is to place men in office so clean and honest that they would not stoop to do an unclean and dishonest thing.

That is what we are striving for. That is why we are storming the ramparts of this administration. That is why we are pulling the curtains aside day by day and showing the awful, rotten condition that has been kept hid right in the strongholds of the Republican Party.

The Senator from Ohio speaks of certain Senators here who are being disgusted by the discussions that take place in this Chamber. Well, if there are those who are disgusted, I suggest that they resign. I think the country would be helped if some that I know should resign. I really do not think it would injuriously affect the country. The Senator who is disgusted because we are going into these unpleasant things and are trying to get at the truth for the good of the country, for the preservation of our free institutions, is not the right kind of Senator; I will say that to the Senator from Ohio. It might be well to spend a little time lecturing on that line—on respect for our oath of office and our duty to our country.

Why, of course, these discussions are not pleasant to the junior Senator from Ohio. The Senator is a very intense Republican partisan, and I know it must annoy and irritate him to see the Republican Party expiring in a lagoon of oil—to see these awful disclosures that permeate nearly every branch of the Government under Republican control. I know that it must pain him deeply, but he owes it to his country to help us to run down and punish every official crook in the country. I would not try to give Mr. Daugherty a clean bill of health before the committee is even selected to investigate him. I would let it be selected, and then let Mr. Daugherty go before it, and I want him to have a fair trial. The Senator objects to the proposed personnel of the committee. He would not have the junior Senator from Montana [Mr. WHEELER] on it and he would not have the junior Senator from Iowa [Mr. BROOKHART] on it.

I suppose he would like to have a little pink-tea performance staged or a little sewing circle arranged. We want to go after the facts in this thing. We want the truth brought out. We

want somebody to make this investigation who has the courage and moral stamina to get at the truth and the whole truth. We want somebody to do it who has the ability and disposition to do it. We want somebody to do it whose hands can not in any way be tied by sinister influences from any source and who can not be made to tread softly when approaching facts that ought to come out but that will involve somebody else, either on the inside or outside, high in the councils of the Republican Party.

Why, certainly the Senator from Ohio is disgusted. He says we have become not a deliberative body but an inquisition. What are you going to do when your Department of Justice, established for the purpose of looking after the enforcement of law, looking after the apprehending and punishing of criminals, falls down; when the head of it himself is arraigned and charged with reprehensible conduct? What are you to do—wait for the department itself to function against itself?

If a policeman should hold you up and rob you and you should report him, and those in authority should refer you to the policeman and tell you to take it up with him, would you feel that you were going to have a fair deal? When the Department of Justice is charged with doing things that we are going to try to stop, if you write to the President and he refers the matter to the Department of Justice, you have to deal then with the very people you are charging with having done things that were wrong. In a situation like that, whose business is it to investigate? It is the business of this branch of the lawmaking body or the other branch, the people's House of Representatives.

Of course these discussions are unpleasant to the Senator from Ohio. They no doubt cause him to have bad dreams and also some other Republicans.

I criticized the Senator from Wisconsin [Mr. LENROOT] yesterday for visiting Mr. Fall in his apartment with the Senator from Utah [Mr. SMOOR] without telling the other members of the committee, and the effort was made here yesterday to show that the Senator from Wisconsin [Mr. LENROOT] had done everything he could to help bring out the facts, to go to the bottom of things in question, when the Senator from Wisconsin himself voted against permitting Senator WALSH to ask Sinclair certain questions in the development of the case. Here it is, right in the record before me.

The Senator from Montana [Mr. WALSH] demanded that Sinclair answer these questions. The Senator from Wisconsin [Mr. LENROOT], the chairman of the committee, opposed making him answer the questions. The roll was called. The Senator from Montana voted to make him answer. The Senator from Colorado [Mr. ADAMS], another member of the committee, and the Senator from North Dakota [Mr. LADD], and one other, four against three, I believe, and he was compelled to answer. The Senator from Utah [Mr. SMOOR] voted against making Sinclair answer.

I suppose the Senator from Ohio is disgusted when the chairman of the committee that is itself investigating this thing has these things brought out in debate in the Senate. It is very unpleasant, no doubt. As I said yesterday, we are having to do a lot of things that are unpleasant. Well, we have a duty to perform here, a duty to the country. Ought we to leave these things covered up? Ought we to let them stay in the committee room, as the Senator from Ohio suggests, and never bring them out until at some distant day a final report may be made?

No; that is not my idea as to the way it should be done, Mr. President. Let public opinion—enlightened public opinion—begin to get in its work, because, God knows, a house cleaning is needed in Washington. Crooks must be driven out; criminals must be apprehended and punished; the Government must be cleansed and preserved. It makes no difference what individual suffers for his crooked conduct, if each one of us when he goes from here can look back and say, with his hand on his heart and his eyes lifted toward the sky and the stars, "I have been faithful; I have discharged my duty to my country."

Mr. President, that is the thing that a public man ought to strive to be able to say; but some people seem to think that if they can serve some big interest and by being their agents accumulate some of this world's goods and be accounted rich, that that is the goal to be sought. It is not mine. It is not that of many that I know in this body, I am glad to say.

That is not all, Mr. President. The Senator from Wisconsin [Mr. LENROOT] on September 3, 1919, in a speech here said:

I am very frank to say that I do not believe it is possible for the Government, irrespective of any questions which are pending here, ever to maintain naval reserve No. 2 as a naval reserve. If we get these claims, the only way to save the oil for the Government is to take it out of the ground from the wells that are now existing there.

That is entirely pleasing to Doheny. That is the position that he takes; and as far back as 1919 the Senator from Wisconsin held this view, and he is now the chairman of this investigating committee.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HEFLIN. Certainly.

Mr. LENROOT. That is reserve No. 2. Does the Senator know that every officer of the Navy agrees with that statement, and everybody else, so far as I know?

Mr. HEFLIN. I do not know that. I know that all the officers of the Navy except Robison were opposed to transferring the naval reserves and that Robison was the man picked out to pass on it—the very man who was friendly to what Denby wanted to do and what Fall wanted to do and what Doheny and Sinclair wanted to do. He, of all men, was picked out to do this thing. The whole Navy rose up in arms against the transfer of these oil reserves, but this man Robison was picked out, and they got his opinion, and his opinion was expressed after Doheny had called on him on his ship and had spent some time with him very pleasantly.

I do not know. The Senator says that the naval officers agree with this. I am reminding the Senate of his position on this oil proposition as far back as 1919.

I want to bring another thing to the attention of the Senate. It will probably be disgusting to the Senator from Ohio.

On another occasion the question was up whether Mr. McLean should come and testify. By the way, the Senator from Wisconsin on yesterday claimed that he had done everything he could to get him there; that he was under subpoena now, and all that. If my recollection serves me right, when the matter came up as to whether they would have him come or accept merely a written statement that he might write out and send in to the committee, the Senator from Wisconsin voted to let him write out and send in the statement.

Mr. LENROOT. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. HEFLIN. I do.

Mr. LENROOT. Will not the Senator read the record upon that point? Will he not be accurate enough to say to the Senate that the question was whether Mr. McLean should be excused from coming for a period of at least two weeks, and then the committee would determine the question? If the Senator will read the record, he will see that the Senator from Wisconsin voted to take the sworn statement with the statement that when the committee received that statement it would then determine whether it would proceed further in requiring his personal presence.

Mr. HEFLIN. I will look up that statement to get it absolutely accurate, Mr. President. I remember the incident, and I was correct in the view that the Senator from Wisconsin favored taking the written statement at that time. He states that he coupled with it the statement that Mr. McLean was to appear later; but he has not appeared yet, and I am very anxious for him to appear.

Now, I want to bring another thing to the attention of the Senate. It may also be disgusting to the Senator from Ohio. That is that the Senator from Wisconsin [Mr. LENROOT] made the statement to the committee over which he presides that he saw no necessity for Secretary Fall coming before the committee. Here was the man of all men who ought to have been interrogated. This is the man that the Senator from Wisconsin called on in his apartment with the Senator from Utah [Mr. SMOOR]; and this is what occurred, the Senator from Wisconsin speaking:

With reference to Secretary Fall, I want to make this statement: When this testimony came in about the purchase of the ranch I then indicated to Senator SMOOR, who was then chairman of the committee, that Mr. Fall should appear before the committee. My only point was that there should be a disclosure of the method by which the purchase was made. That disclosure having been made, I do not think of any reason why he should appear before the committee.

Mr. LENROOT. Mr. President, will not the Senator read the rest of it?

Mr. HEFLIN. That is all of it I have here in the Record.

Mr. LENROOT. No; there is more there.

Mr. HEFLIN. I am reading from the speech of the Senator from Colorado [Mr. ADAMS].

Mr. LENROOT. If the Senator will read the record he will find that the Senator from Montana [Mr. WALSH], immediately preceding that statement, made the statement that he did not desire to press it himself; and he will find that I, in the statement the Senator is now reading, stated that if the Senator

from Montana did not care to press it, Mr. Fall having made the disclosure, I saw no reason for his appearing.

Mr. HEFLIN. Mr. President, I differ with the Senator about that. Why should he not be summoned? He is charged with having transferred this property, worth billions of dollars, to Doheny and Sinclair. Of all men, it seems to me he ought to have been called and interrogated, and here was a move made to let him off and not call him in at all. I do not know whether this was before or after the visit to Fall's apartment.

I merely call these things to the attention of the Senate because of the statement of the Senator yesterday that he was doing everything he could to get at all the facts. I recall another statement, though I can not put my finger on it just now, where the junior Senator from Wisconsin stated that up to that time he had not suggested a single witness. I will get that statement, so that it will be absolutely accurate.

Mr. LENROOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. HEFLIN. I do.

Mr. LENROOT. I call the Senator's attention to the remarks of the Senator from Montana made yesterday. He said:

Mr. Fall went to El Paso. He was there when the witnesses from New Mexico told their story about the sudden rise in affluence of Mr. Fall and his expenditure of approximately \$200,000, as it was traced to him, when he had not had money enough to pay his taxes for 10 years. Of course, that testimony was startling in its character, and the Senator from Wisconsin rightly recites that forthwith, in what seemed to me something like consternation, because both he and the Senator from Utah had up to that time exhibited the most implicit confidence in Mr. Fall, he said that this information should be given to Senator Fall at once, and he should be invited to come before the committee. I said in that connection that in my judgment he should be apprised at once of the information, but that he should be left to judge for himself whether he should come or not.

Mr. HEFLIN. Whose statement was that?

Mr. LENROOT. The statement of the Senator from Montana [Mr. WALSH].

Mr. HEFLIN. Then, Mr. President, I disagree with the Senator from Montana on that. I would have summoned him. Of all men, Fall himself should have been called then and questioned by this committee, and I can not understand how an investigation would be complete without examining the man himself who had accepted money, who had been paid for the thing he had done, permitted to roam around the country undisturbed, at large, not even calling him before the committee.

I am reminded that at the time the Newberry case was up we criticized some members of the investigating committee then for not even inviting him to appear before the committee. It was shown in the debate that they had not even asked him to come before the committee and make a statement. The protection of party ought never to be indulged in to the hurt and injury of the country. Why should such treatment be accorded these big rich fellows?

We would not do that for the ordinary man. He would be brought in; if necessary, a policeman would bring him in, and he would be seated there, and he would be interrogated, and in right severe fashion in many instances. But Mr. Fall is going away. I think he is now down on his ranch, which he has improved so much with the thousands and thousands of dollars he got out of this corrupt transaction.

One other thing, Mr. President, in reply to the Senator from Ohio. I want this whole thing to be made so odious that no public official in the future will ever dare do such a thing. I want fathers and mothers of the country to be able to say to their children, "Yes; these things have been going on, but it is right and proper to expose them and to tell the truth concerning them. They got some bad men in office. The situation is humiliating and shameful, and it is right to clean it up. The Senators are cleaning it up, and it will have a wholesome and far-reaching effect. It will help to get good men in office in the future and benefit the Government now by letting unfaithful officials know that their days are numbered." Of course, good is going to come from it.

But the Senator from Ohio [Mr. FESS] suggested in his effort at scolding the Senate this morning that it was all disgusting to him. Disgusting to bring out facts? What are we here for—just to sit around and let things go on, and say, "If we bring it to the attention of the public it might disturb some child who will read about it in the newspapers?"

No, Mr. President; let the children be taught from their childhood up that there are two kinds of people—one class honest and upright and fearless; another class crooked, corrupt, and cowardly—and just as sure as there are good and

evil in the world, there are people whose conception of right and justice is one way and people who look and feel the contrary way.

When the latter, the bad ones, get into office you are bound to find out just who and what they are, because the Bible says truly:

By their fruits ye shall know them.

Now we are going after this investigation. We are going to get at the facts, and I want to say that this committee does not have the final say. This committee will bring in its findings. It makes the investigation and it will report to the Senate. There may be a majority report and a minority report, and both reports will be discussed and thrashed out before and by the Senate itself.

The effort to give Mr. Daugherty a clean bill of health before the investigation is had, it seems to me, is a little premature. I think it would have been better for the Senator from Ohio to have made his remarks to the committee or after the committee reports its findings.

I want to submit this statement in that connection: Why is it that the President permits Mr. Daugherty to remain in office? Why does Mr. Daugherty want to remain in office? Are these his reasons? Does he want to stay in possession of all the correspondence until the hearing is finished? Does he want to remain Attorney General so that all the officers and agents under him would not want to testify against their chief? Oh, Mr. President, I suggest to the Senator from Ohio that those are the disgusting things.

Why does he not go to the White House and say to the President, "Mr. President, I want to relieve you and I want to be relieved. I want an investigation and I want to resign, with the understanding that if I am found innocent you will immediately reappoint me Attorney General. Why does he not do that? Why does he stay where he can keep his hand on all the correspondence? Why does he remain where the officers under him are intimidated and feel embarrassed to testify against their chief?"

If he will not do that, why will not the President ask for his resignation, so that these various agents of the department may be free, and can stand up and testify as they would like to testify, and as I believe many of them will testify if they have the opportunity, free and unfettered.

This is the Government's business. It is not a political party matter. It should not be. This investigation ought to be made in the interest of right and justice and truth, and we ought to have in mind always in all of these things the good of the country. That is my position in it, Mr. President, and however unpleasant it may be to the Senator from Ohio, however disgusted he may become day by day and week by week, these facts are going to be given to the people. They are entitled to know the facts, for this is their Government; we are their servants, and when we, speaking for them, find a crooked and corrupt condition in the Government, it is our duty to discuss it here in the open Senate and let the country know just what is going on in their Government at Washington.

Why are you after this man Fall? He has betrayed his trust. Why are you talking thus about him? He has accepted a bribe. Why are you saying these things in the Senate? He has bartered the oil domain of the Nation, he has deprived the country of its naval oil reserves, he has squandered billions of dollars worth of property, and we are after him to expose him and to punish him if we can; to get back this property, and to let those who are tempted in the future to do wrong know the fate of Denby and Fall and Daugherty, if he be convicted. Men who forget their oath of office and turn their backs upon the principles of right and justice and become the subservient tools of crooked and corrupt interests ought to be exposed and excoriated, it makes no difference how shocking and how disgusting the disclosures may be to the Senator from Ohio [Mr. FESS].

Mr. President, the truth should be known. The country knows what is going on here. The country knows under what difficulty some of us are laboring day by day to get the truth to the country. The country knows, from what has transpired, how the effort has been made to cover up and hide important facts. The country is entitled to know, and unless we stand up and fight, and expose evil doing that hurts the country, we ourselves are guilty of unfaithfulness to the American people.

Let it not be said of us that because of fear of somebody trying to connect us up with the Teapot Dome or with the Doheny oil interests we did not act. The fellow who is unable to talk on this subject and unable to condemn this thing may be suffering from color blindness caused by oil colors and oil paintings. If Mr. Daugherty is innocent, he ought to be ac-

quitted. If he is guilty, he ought to be exposed and convicted and removed from office. We are told that two Republicans, Senator LODGE and Senator PEPPE, requested Mr. Daugherty to resign. If the President is convinced by what he knows and by what the Senator from Idaho [Mr. BORAH] told him regarding Mr. Daugherty that something is radically wrong, why does he not ask Mr. Daugherty to get out and let a real and a very thorough investigation be had? Let him say to him if he chooses, "If you are found free of guilt and with clean hands, I will reappoint you as soon as the investigation is over." That is the way to get at the truth, if they really want to fight this thing to a finish in the interest of the people and the Government of the United States.

Mr. GEORGE. Mr. President, I would like to say that there may be a very wide difference of opinion concerning the last proposition laid down by the junior Senator from Ohio [Mr. FESS] in his speech. If I correctly understood him, he said that on this side of the Chamber, and very generally in the Chamber on this side, there had been a disposition to play politics, and if I correctly analyzed his statement the Senate was brought rather severely to task for engaging, as he classed it, in extraconstitutional activities, and particularly this side of the Chamber was so arraigned.

Mr. President, I do not believe it can be very justly said that Senators who have asserted themselves upon this side of the Chamber have done so from political motives only, or even chiefly. If there had been a disposition to play politics concerning the important revelations which have been made in the Senate for the two months past, the party on this side of the Chamber could have rested its case upon the able and searching and thorough presentation made by the senior Senator from Montana [Mr. WALSH], and could have left upon the present administration full responsibility for action upon the strength of that statement made by him.

But the Senate did not play politics. Rather than leave upon the administration the full and unassisted responsibility there was introduced and passed a resolution to which the junior Senator from Ohio takes exception, particularly to the preamble of the resolution, calling upon the President of the United States and authorizing the President of the United States to employ counsel for the cancellation of the naval oil reserve leases and for the prosecution of offenders, if offenders should be indicated to the satisfaction of those counsel. I had occasion to say, and I say again, that every legislative body on the face of the earth in taking action upon any question has a perfect right to express the reason for its action. It is not binding nor is it intended to be binding upon any other department of government, but it is only a question of whether the legislative body has the information and has the will to make the declaration. If it sees fit to make the declaration it can not be classed as an extraconstitutional exercise of authority by anybody.

Not only did the Senator from Ohio inveigh against the preamble to that resolution but the Senate was taken rather severely to task for the Denby resolution. The Denby resolution may have brought before the Senate a debatable question. The distinguished Senator from Idaho [Mr. BORAH] expressed himself upon that question, and in very clear and very forceful language. But I do not think that after the Senate has acted, the Senate is to be severely arraigned and criticized. I do not, and I am not willing to, admit that men of this side of the Chamber, at least, did not have some reason that seemed satisfactory to them even in the consideration of the Denby resolution. I know that I had, whether erroneously or not. Whether my reason was well founded or ill founded there appeared a reason upon which I was willing to vote.

I do not discuss the question of fact. It was too clear and palpable to all the world that Mr. Denby was a necessary party, at least a proper party, to the very suit that had been authorized by the Senate for the cancellation of the leases. As point of fact, he could not have remained in the Cabinet. In point of good conscience, he could not have remained in the Cabinet when his own acts were being solemnly challenged in the courts, and I do not refer to the facts upon which I acted and other Senators may have acted. I refer to the reason that seemed to me to justify the action, and seemed to me to remove it from the criticism directed against it by the junior Senator from Ohio.

I have never said and do not now say that the right of petition preserved in the first amendment to the Constitution was the authority upon which I acted. The right of petition was adverted to here, and by very able Senators. I recognize that the right of petition is the right of a citizen to petition his Government, and has absolutely no technical application to the

right of one department of government to petition another department of government. But if those who framed the Constitution were careful to say that even the Congress should not take away from the people the right to peaceably assemble and to petition the Government for redress of grievance, it can hardly be imagined that they supposed that a coordinate department of government did not have the right of petition. Historically, the allusion may have some benefit, but technically it furnished no justification, in my judgment, for the vote that I cast on the Denby resolution.

Nor do I lay great store, Mr. President, by the assertion that the power to advise and consent to the appointment of Mr. Denby still continued or at least was not exhausted in the initial exercise thereof. Other Senators may have found justification for their vote in that, but in the Constitution I find an express grant of power to the Congress to preserve the national domain, a power expressly granted to the two Houses of Congress to protect the public property, including the naval oil reserves. When, in the exercise of an express grant of power, the legislative branch of the Government comes to the point where the subject committed to the Congress can not be adequately protected save by Executive action, I, so far as I am concerned, am willing to rest my vote requesting the executive department to act upon that express grant of power. Had the Congress gone over into the domain of the Executive power and had the Congress sought to exercise that power quite a different question would arise.

But since when has it become the doctrine in America that one coordinate department of Government under our Constitution, to which the Senator from Ohio adverts, shall not be on speaking terms with another coordinate department of that Government? Since when has the doctrine come into existence that the Congress, charged with the express power of protecting the public property of the Union, can not ask the Executive to exercise a power referred to and vested in him exclusively, if in the opinion of the Congress action by the executive department is necessary and is imperative?

So I say, Mr. President, that it seems to me the Senator from Ohio should not have subjected to criticism the Senate and those Senators present who voted not only for the Walsh substitute resolution with its preamble, who voted not only for the Denby resolution but who had what they believed to be a reasonable justification for that vote, and that the Senators who did so vote were not, as he said and very clearly indicated, exercising extraconstitutional powers and converting themselves into a court of inquisition, trespassing where they were not entitled to go.

It has occurred to me that many of us have confused the issues that have arisen in the last 60 days with the issues that ordinarily arise in public trials. A legislative body is not a court, but—and this seems to me to be the point that we have overlooked—the legislative body is to act and is to proceed on principle, and when a man's public reputation or public character is to suffer because of proper legislative action, it is but an incident, and it can not stay the legislative action.

It is not a trial now that is proposed, and there has been no trial proposed save the civil and criminal actions to be instituted and prosecuted by counsel employed under the resolution giving to the President the power to employ counsel. We are not to try the Attorney General. He is not to go upon trial. Shall we say the legislative branch of the Government shall stickle and halt and hesitate to act because a man's public reputation, his public character, may suffer because of that legislative action? Has not the Senate power to appoint a committee to investigate any department of the Government, any department supported by the Senate in part by appropriations made by the Congress? If the Senate has the right to investigate the department, is the Senate to hesitate, is the Senate to refuse to do its duty merely because the public character or the public reputation of some one who is investigated may be thereby smirched, to use the term that has been used so often in the debate?

To assert that we are to so hesitate is to lay it down as basic that we are to legislate not upon principle, that we are to act not upon principle, but that we are to proceed with a due regard for our personal feelings for men who occupy high and responsible official positions. The very suggestion is at bottom an insult to a man who thoroughly and fully appreciates his responsibility as a member of a legislative body.

Now, Mr. President, it has been asserted here by the junior Senator from Ohio that 60 days have been wasted, have been spent purely in an effort to play politics, to assassinate the character of men, purely in an effort unworthy of the Senate; and if he is to be allowed to define that effort, if he is to be permitted to define the reason and motive and purpose of the

Senate, and of individual Senators, then, of course, it is an exhibition wholly unworthy of the Senate. But I desire to say for myself that I have felt justified in supporting the Walsh substitute with its preamble; I have felt justified in supporting the Denby resolution; and I do not discuss the question of fact involved. I have felt justified and feel justified in supporting the resolution now before the Senate for the Senate to elect a committee to investigate the Attorney General.

I feel justified in doing so, Mr. President, upon the ground which I have tried to make plain; that is, that the investigation shall proceed, not as a criminal hearing or trial but as a proper legislative act, and shall proceed strictly and solely upon principle and without regard to and with no purpose to inflict any unauthorized or any unjustifiable injury upon the public reputation of the man who happens to hold the high office of Attorney General. Concerning that man, I shall say nothing; concerning any of his acts or official failures to act, I shall say nothing; concerning anything that may have been done or omitted to be done by the Department of Justice, I shall say nothing. It is sufficient for me to know that there are grounds upon which I may justly base my vote for the resolution; and I am willing to leave it to the agent created by the Senate to proceed with the investigation fearlessly upon principle, not for the purpose of trying but for the purpose of ascertaining facts which the Senate is entitled to have within its possession in order that it may properly function as a legislative body.

Mr. ROBINSON obtained the floor.

Mr. CURTIS. Mr. President, will the Senator from Arkansas yield to me?

Mr. ROBINSON. I yield to the Senator from Kansas.

Mr. CURTIS. I was wondering if we could not agree upon an hour to vote upon the pending resolution this afternoon. A number of Senators on this side of the Chamber—and I think on the other side—have engagements this afternoon which they would like to meet. So, if we could get an agreement to vote I wish we might do so. I suggest that we vote at half past 3 o'clock.

Mr. ROBINSON. Mr. President, I am very much in sympathy with the suggestion just made by the Senator from Kansas. The debate has had a very wide range during the last two days, and we should dispose of the resolution this afternoon if it be possible to do so. There are, however, one or two Senators who have stated that if a proposal to fix a time to vote upon the resolution were made they desired that the absence of a quorum be suggested in order that they might be present while the arrangement is under consideration.

Mr. BORAH. Mr. President, before any agreement shall be made I should like to ask if the form of the resolution as it now obtains is to be the form upon which we are going to vote? The preamble will require some attention if we are going to vote upon it.

Mr. ROBINSON. Mr. President, in reply to the question of the Senator from Idaho I desire to say that I myself see no objection to striking out the preamble. It raises issues of fact that are not necessarily pertinent to the provisions of the resolution, and, so far as I am concerned, I shall make no objection if the author of the resolution consents to such an arrangement, to striking out the preamble.

Mr. WHEELER rose.

Mr. BORAH. Let me say to the Senator from Montana, who has risen, that the objection I have to the preamble is that it states facts, and I am not sufficiently informed to know whether they are facts or not to enable me to vote upon them.

Mr. WHEELER. To which clause of the preamble does the Senator from Idaho refer?

Mr. BORAH. There are several of them. In the first place the preamble refers to reports of the Federal Trade Commission and the failure of the Attorney General to act upon them. It states as a fact that such reports were made; that so many cases were reported to him, and he did not proceed. I do not know about that. I do not see that it will help the committee which shall investigate the matter to retain any of the preambles in the resolution. The second preamble is similar, and the last preamble reads:

Whereas no action has been taken by the Department of Justice in prosecuting to a conclusion the so-called war fraud cases.

I am informed that some of those cases have been adjusted and settled, but I do not know what the facts are. However, as I see the matter, it will not help us to retain the preamble in the resolution. If the preamble strengthened the Senator's resolution, I should feel differently about it, but I do not perceive that it does so.

Mr. WHEELER. Mr. President, I will say to the Senator from Idaho that after conferring with the senior Senator from Ohio [Mr. WILLIS], who, I assumed, was looking after the interests of the Attorney General, I agreed to strike out two clauses of the preamble, and the Senator from Ohio stated that the remainder of the preamble was satisfactory to him. Consequently I have not any particular objection to the preamble being stricken out, except that I will say to the Senator from Idaho that two reports have been sent in by the Department of Justice since the resolution was offered; and yet I have the positive evidence in my pocket, furnished to me by attorneys who work in the Department of Justice, that there are numerous cases which have not been prosecuted by the Attorney General and numerous other cases which have been dismissed after they were started.

Mr. BORAH. Mr. President, it is altogether probable that the Senator from Montana when he drew the resolution was in possession of facts which warranted him in drawing it as he has drawn it, but I am not sufficiently familiar with the facts to vote them as facts. The Senator will be able, if he is on the committee, or any other Senator who is interested in the matter or who is on the committee will be able to present such matters without the preamble quite as efficiently and effectively as if the preamble were retained in the resolution. I do not care to debate the matter at length, although I do want to be placed in a position where it is understood that I am not passing upon a question of fact. I am willing to vote, and am rather anxious to vote, for the investigation, but I myself do not want to pass upon a question of fact.

Mr. MOSES. In the whereas, at the top of page 2 of the resolution, there is found a reference to disclosures in the investigation of the Veterans' Bureau, which apparently has no place in the resolution, for it appears from the press reports this morning that indictments were found on yesterday.

Mr. BORAH. There may be others that ought to be found. However, it is not that proposition that I have especially in mind, but that I am called upon as a Senator to vote on something which is set forth as a fact which I do not know to be a fact, although I presume the Senator from Montana is himself in possession of the information.

Mr. ROBINSON. Mr. President, my opinion is that the preamble of the resolution has no controlling force; that it will not in anywise help to uncover the facts to which the investigation will be directed, and, frankly, I think if a preamble of the character of that contained in the resolution is to be adopted it should be revised very materially. There are other circumstances and transactions and failures to act upon the part of the Department of Justice and its head not referred to in the preamble of the resolution which, according to evidence brought to my attention in a form which I believe to be authentic, could certainly, with as much propriety, constitute a part of the preamble. The point I am making is that the preamble is no part of the resolution; that it is weaker than the resolution; and that nothing detrimental to any interest involved in the investigation could result if the preamble was stricken out entirely. Of course, in the first instance, that is the question to be determined by the author of the resolution. I should like now to proceed.

Mr. BORAH. Mr. President, I call the attention of the Senator from Arkansas, and also the attention of the Senator from Montana, to the language of the resolution proper on page 3, from line 7 to 13:

And said committee is further directed to inquire into, investigate, and report to the Senate the activities of the said Harry M. Daugherty, Attorney General, and any of his assistants in the Department of Justice, which would in any manner tend to impair their efficiency or influence as representatives of the Government of the United States.

Under that provision all the various subjects matter could be inquired into.

Mr. ROBINSON. Certainly; and that is the reason I say that the preamble is narrower and weaker than the resolution itself. The resolution is all-comprehensive, and very properly so.

Mr. WHEELER. I have no objection, so far as I am concerned, to the preamble being stricken out.

Mr. ROBINSON. Very well, then; we will assume that the preamble will be stricken out.

Before the agreement is entered into—

Mr. CURTIS. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

Mr. ROBINSON. I yield for that purpose, but I should like to resume the floor afterwards.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ernst	King	Robinson
Ashurst	Ferris	Ladd	Sheppard
Ball	Fess	La Follette	Shortridge
Bayard	Fletcher	Lenroot	Simmons
Borah	Frazier	Lodge	Smith
Brandegee	Gerry	McKellar	Smoot
Brookhart	Gooding	McKinley	Stanfield
Broussard	Hale	McLean	Stanley
Bursum	Harris	McNary	Stephens
Cameron	Harrison	Mayfield	Swanson
Caraway	Heflin	Moses	Trammell
Couzens	Howell	Neely	Walsh, Mass.
Cummins	Johnson, Calif.	Norbeck	Walsh, Mont.
Curtis	Johnson, Minn.	Norris	Warren
Dale	Jones, N. Mex.	Oddie	Watson
Dial	Jones, Wash.	Owen	Weller
Dill	Kendrick	Ralston	Wheeler
Edge	Keyes	Ransdell	Willis

Mr. CURTIS. I wish to announce that my colleague [Mr. CAPPER] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. GERRY. I desire to announce that the junior Senator from Maryland [Mr. BRUCE] is necessarily absent for the day. The Senator from Nevada [Mr. PITTMAN] also is necessarily detained from the Chamber. The Senator from Alabama [Mr. UNDERWOOD] is absent because of illness.

The PRESIDING OFFICER (Mr. ODDIE in the chair). Seventy-two Senators having answered to their names, there is a quorum present.

Mr. ROBINSON obtained the floor.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Kansas?

Mr. ROBINSON. I yield to the Senator from Kansas.

Mr. CURTIS. I ask unanimous consent that all debate close, and that we vote on the resolution and all pending amendments and amendments to be offered at 3.30 o'clock this afternoon.

Mr. DILL. Mr. President, reserving the right to object, may amendments still be offered?

Mr. CURTIS. I said that—amendments to be offered.

Mr. DILL. And what about the limitation on speaking on those amendments?

Mr. CURTIS. I think we ought to close all debate. I do not think any material amendments will be offered. I will state to the Senator that I had intended to offer three or four amendments myself; but I have talked with the Senator who has charge of the resolution, and I think we will agree upon those amendments, and he will amend his resolution.

Mr. DILL. I will say to the Senator that I want to offer an amendment, and I want at least five minutes to talk on it.

Mr. CURTIS. I am perfectly willing.

Mr. ROBINSON. The Senator can offer that amendment now, if he will, and take the floor. If he has the amendment ready, he may present it now.

Mr. DILL. I can present it later, when I can talk on it. I would rather do it at that time, but I do not want to be shut out of an opportunity to offer the amendment and speak five minutes on it.

Mr. BORAH. Mr. President, after the resolution is adopted will we proceed immediately to the election of the committee?

Mr. ROBINSON. I suggest that the Senator from Kansas incorporate that in his agreement.

Mr. CURTIS. I will.

Mr. NORBECK. Mr. President, I want to reserve the right to object to that part of it. The unfinished business here is the farm-relief measure. I gave notice in the Senate three days ago that I wanted to speak 20 minutes on Thursday or Friday. I have not yet had an opportunity to speak, and I should like very much to address the Senate for a few minutes.

Mr. ROBINSON. Very well; then we will have to go ahead and take the regular course, if the Senator objects.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. JONES of Washington. What is that, Mr. President?

The PRESIDING OFFICER. The Secretary will read the unanimous-consent agreement.

Mr. JONES of Washington. There was objection, as I understood.

The PRESIDING OFFICER. There was no objection.

Mr. JONES of Washington. There was objection to the unanimous-consent request.

Mr. CURTIS. There was objection—objection to the last part.

Mr. JONES of Washington. It is objected to entirely, and request has been made that it take the regular course.

Mr. KING. I call for the regular order.

Mr. NORBECK. I do not object to bringing the matter to a vote at 3.30, but I object to proceeding to vote immediately afterwards on the election of the committee.

Mr. ROBINSON. Very well. Nothing is to be accomplished unless we can dispose of the whole matter, by merely passing the resolution. I have the floor.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. ROBINSON. Mr. President, during the debate many subjects remotely if at all related to the subject matter of the resolution under consideration have been discussed, and in some instances the discussions have been characterized by intense feeling on the part of those participating.

The Senator from Ohio [Mr. FESS] yesterday and this morning criticized a reference made by the Senator from Nebraska [Mr. NORRIS] to proceedings in another body. It is, of course, desirable that in so far as practicable allusions to debates and actions in the body at the other end of the Capitol be omitted; but, Mr. President, at the time of that proceeding, and for all the period that has elapsed since, there have been many who felt that there was a failure, for one cause or another, fully to develop the facts and circumstances which might justly have been brought out in that proceeding; and my understanding of the reference which the Senator from Nebraska made to it was that he primarily intended to show that unless there is upon the special committee some one who has a knowledge of the circumstances and facts to be developed, and who has a purpose and intention to see that they are presented, there will likely result failure of disclosures that ought to be made.

The Senator from Nebraska contended, and I think fairly, that this is not a trial; that the resolution does not contemplate a trial in any fair test of that term within the meaning of American jurisprudence. This is an investigation; and the whole power, the countless agents of the Department of Justice, are directed against the effective consummation of the purpose of this resolution. Instead of having the assistance and cooperation of the Attorney General and of the agents who are employed under him, the committee will find itself, so long as the Attorney General remains in office, opposed at every turn and in every effort that it may make.

I do not say this in censure of the Attorney General nor in criticism of the skilled investigators who are employed in his department. I say it because it is natural and true. Every Senator knows that the instant it became known that this resolution is to pass, the great investigating organization of the Government of the United States, whose business and duty it is to expose fraud and corruption, has been directed toward the prevention of the disclosures contemplated by the resolution.

The Senator from Ohio [Mr. FESS] may criticize the Senator from Nebraska [Mr. NORRIS] and other Senators when he chooses. That is the privilege of a Member of this body, so long as he does not transcend the rules of the body; and I think the Senator from Ohio did not violate the rules. The Senator from Nebraska, however, has enjoyed a long and honorable service in the Congress of the United States. I knew him when he was a Member of the House of Representatives, and I have known him, as most of you have known him, throughout his career as a United States Senator. I make the declaration that for courage, sincerity of conviction, intellectual honesty, and honesty in every sense in which the term may be applied to individual and to official conduct the Senator from Nebraska stands preeminent among the public men of America.

The Senator from Ohio saw fit to arraign the majority in the Senate. His language was severe to a point approaching bitterness. He declared, on page 61 of the stenographic notes of his remarks, that the Senate is not a deliberative body if judged by its record of the last two months; that it is an inquisition and has become a sluiceway for the transmission of suspicion.

Mr. President, it is doubtful if in the history of this body there has ever before been an occasion and an issue which have aroused such interest among the people generally and such feeling among the Members of the Senate as have been produced by the disclosures made through the activities of the Public Lands Committee in connection with the naval oil-reserve leases. The Senator from Ohio sees in these disclosures nothing to occasion alarm, nothing to arouse excitement, nothing to invite or provoke criticism. From reading and re-

reading the language of his address I reached the conclusion, as I think anyone else who heard it concluded, that there is in his mind a grave doubt as to whether anything has transpired that has been disclosed that justifies resentment in the breasts of honest citizens. He doubts whether the Government is right and will prevail in its suits to recover the properties bartered away through the faithless betrayal of trust by members of the Cabinet of the President of the United States.

He thinks, after reading all the evidence and hearing all the discussions, that the Government probably will lose the suits, and, judging from his remarks, he is not conscious of any act on the part of either the Secretary of the Navy or Secretary Fall or of the Attorney General which justifies the censure which the people of this country have heaped upon those officers and which has been reflected in the debates in the Senate.

I shall not make an effort now to convince the Senator from Ohio that when the Secretary of the Navy signed the leases to the Government oil lands—in violation of law, in disregard of law, and against the public interest and the well-established policy of the Government, as the Senator himself voted the action of the Secretary of the Navy to be—I shall not consume time in trying to convince him that such conduct on the part of Cabinet officers forfeits their right to the confidence of the public, and to remain in the offices whose prerogatives they have so grossly abused.

The Senator from Ohio thinks that the Senate committed an offense against the Constitution of the United States, violated every propriety which should govern, when it adopted the resolution asking the President to call for the resignation of Secretary of the Navy Denby, and he finds great pleasure in that the President declared that he would not act upon the recommendation or request contained in the resolution. Yet Senators, and everyone who reads the press of the country, know that if the Senate had not passed the resolution Secretary Denby would be in office to-day, just as the Attorney General is in office, in spite of the fact that the President has plainly indicated he would like to have that officer resign.

The Senator from Ohio characterizes the passage of the Denby resolution as a political act. He might well remember that, notwithstanding the officer whose cause he has so valiantly and recklessly challenged has not been heard by the Senate or any committee of the Senate. Members on his side of the Chamber who are influential, and not insignificant in their power, have asked the President to dismiss the Attorney General from the high office which he holds.

We read how the Senator from Massachusetts [Mr. LODGE], after having characterized a public resolution of the Senate calling for the resignation of Secretary Denby as "lynch law," went to the White House and attempted privately to accomplish what the resolution sought to do publicly. We read, too, how the Senator from Massachusetts [Mr. LODGE] and the Senator from Pennsylvania [Mr. PEPPER] went to the White House and demanded that the President discharge Mr. Daugherty, notwithstanding the fact that while Secretary Denby had been heard three times Mr. Daugherty had never been called to appear before any committee.

On yesterday that amiable but somewhat dictatorial Senator, the senior Senator from Indiana [Mr. WATSON], issued a pronouncement, in which he explained that before Mr. Daugherty could be gotten out of the Cabinet it would be necessary for Republicans to bring more pressure. I read from a report contained in the New York World:

Senator WATSON called on the President and later expressed the opinion it would take more pressure from the Republicans to force Daugherty out at this time. He said there were three eventualities which would bring a resignation, and those, as recounted to him after the Attorney General had seen the President, were:

1. If President Coolidge requests the resignation.

Everyone knows that the President has the power to choose his own advisers, his own Cabinet members, and that the instant a condition arises that makes a Cabinet member useless to him, or the instant his usefulness has become impaired, the President has the power to put him out of the Cabinet and select some one with whom he can advise.

It is perfectly apparent, then, that the President has not requested the resignation of the Attorney General. Every Senator knows that if he does do so the Attorney General will be compelled to comply with his request.

The second condition, says the Senator from Indiana in his remarkable analysis of this situation, is that—

2. In case the investigation proposed by the Senate might establish something about him of which he himself is not now aware, in such fashion as to besmirch his reputation and force him to resign.

3. In case the investigation should prove him absolutely guiltless of any wrongdoing, so that he could retire honorably and not by the back door.

So that while the Senator from Ohio is arraigning the Senate of the United States for having abandoned or discarded the characteristics that should mark its procedure and for having become a sluiceway for suspicion against innocent men, the leaders of his own party, who manifestly have not found it either necessary or profitable to advise with the junior Senator from Ohio, have been putting on pressure in every possible form to get the Attorney General out of the Cabinet, to "lynch" Attorney General Daugherty. It was "lynch law" for the Senate to ask the President, in a formal resolution, to call for Secretary Denby's resignation, but it is an act of virtue for prominent Republican Senators in order, I take it, to save their party from the effects which inevitably will result if the Attorney General remains in office—it is a virtuous act for them privately to try to induce the President to put him out of office.

The mystery of all this proceeding is disclosed by a statement emanating from the White House and published this morning in the Washington Post. It says:

#### PRESIDENT TO ORDER INVESTIGATION INTO LEASE GRANTED STANDARD OIL.

While the Senate was debating on the resolution to investigate the Department of Justice, President Coolidge yesterday authorized the announcement that he would name within a few days another special counsel to conduct an investigation into the rights of the Standard Oil Co. to section 36 in naval oil reserve No. 1, in California, concerning which there is great controversy and which has been described as the key to the whole oil leasing scandal.

#### Listen to this:

Investigation of this phase of the matter is expected to involve Attorney General Daugherty directly with the oil scandal and with the operations of former Secretary of Interior Fall. The Government had instituted a contest against the Standard Oil Co. claims to section 36. They were held by responsible Government officials who had charge of the case to be valueless, but the Standard Oil Co., in a proceeding which has been characterized as "unprecedented," took the case directly before Fall, who dismissed the contest "out of hand" without hearing the Government side of the case. This action was taken despite a recommendation to the Attorney General by his subordinates that the Government press the contest.

In several administration quarters it was stated yesterday that the President by instituting this special inquiry may force the Attorney General into a position where he must resign sooner than he now expects to retire from the Cabinet.

Diabolical beyond the power of language to describe! It is "lynch law" for Senators in open session to say to the President, "A committee of this body has found a state of facts which disclose that the Secretary of the Navy has violated the law, has acted without authority of law, has acted in disregard of the public interest and the well-settled policy of the country, and therefore we respectfully request that you substitute some one for him who will obey the law." It is "lynch law" to make a formal declaration of that character, but it is virtuous conduct to go in the back door of the White House secretly, without giving Mr. Daugherty a chance to defend himself, and urge the President to put him out of the Cabinet.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. ROBINSON. I yield.

Mr. McKELLAR. That statement from the White House would indicate that the President himself has joined those "hysterical" Senators whom the junior Senator from Ohio inveighed against this morning, would it not?

Mr. ROBINSON. Clearly it is an indication that the President is attempting to force the resignation of the Attorney General without asking him to tender his resignation.

It is incomprehensible to me, in view of those facts, how the Senator from Ohio, in any stretch of the remarkable imagination which must characterize the mentality of any Senator who can make a speech like the one he uttered on this floor this morning, can find that this is a political persecution inaugurated and carried on by Democrats.

The Senator from Ohio has joined with the chairman of the Republican National Committee in an effort to give to the proceedings of the Senate a character which will discredit them. We occasionally say things here in the heat of debate which we do not mean. Sometimes we become perfervid and utter sentiments which afterwards we wish we had not uttered.

While I do not profess skill in prophecy, I think that in the years to come when the junior Senator from Ohio looks back upon the proceedings of the Senate which he has characterized so harshly, which he has criticized and condemned so bitterly, and then reads again, if he is not forever hereafter ashamed to read his own utterances, the strange words, the incomprehensible sentences that composed the greater portion of his speech to-day, he will wish that he had never given vent to utterances which in their legitimate construction stamps approval upon transactions which constitute dishonorable and corrupt conduct upon the part of officers of the United States when they bartered away in secret hundreds of millions of dollars' worth of public property.

Mr. President, the opinion of the junior Senator from Ohio to the contrary notwithstanding, the people of this country do not regard and will not regard the passage of the Denby resolution as an act of usurpation on the part of the Senate of the United States. They will never be able to comprehend how a trained statesman, experienced as is the junior Senator from Ohio, could put his approval upon transactions which everyone else than himself regard as having discredited the administration of which the Senator from Ohio assumes to be a champion.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. ROBINSON. I yield.

Mr. McKELLAR. Inasmuch as the two Senators from Ohio, as I recall, are the only Senators who have risen in their places on the other side of the Chamber to defend Mr. Daugherty, is it not a matter of not the greatest importance in the world as to their views?

Mr. ROBINSON. O, Mr. President, the resolution will pass unanimously, except possibly for the votes in opposition of the two Senators from Ohio. The Denby resolution passed by an overwhelming vote, and the Wheeler resolution, characterizing the acts of Denby and Fall as violative of law and against the public interest and well-settled policies of the Government, passed unanimously both Houses of Congress. And yet the junior Senator from Ohio characterizes the preamble to that resolution and characterizes the Denby resolution as a demonstration of hysteria.

It is not remarkable that the Senate should have displayed intensity of feeling. The most remarkable thing that has occurred is the performance to-day of the junior Senator from Ohio. I do not blame him for defending Mr. Daugherty. He is his friend; and, God knows, Mr. Daugherty has few friends left. I honor the junior Senator from Ohio if he believes the statements that he makes, and I know that he must believe them or he would not make them. If he believes in the honor and the integrity of the Attorney General, I honor him for standing by the side of his colleague and defending Mr. Daugherty to the last ditch. But when he stands isolated in this body—when he stands alone and takes a position by himself—propriety and sound sense, if he demonstrates either, ought to prompt him not to be unduly censorious against the overwhelming majority that stands in opposition to him.

I sympathize with Mr. Daugherty. He came into the Cabinet as the supreme political boss in the affairs of the Nation. Men who wanted to go upon the bench, men who desired positions in the Government service, not only in the department of which the Attorney General became the head but in the other departments as well, had to procure the O. K. of the great political patronage distributor, the Attorney General of the United States. And now for a year or more his prestige and power have been declining. For more than a year charges have been made which affect the integrity of his administration. Charges have been made which involve questions as to his efficiency. And now, with the Senate passing a resolution to investigate his conduct and his administration, he stands with his back to the wall fighting alone, except that the chairman of the Republican National Committee, Mr. Adams, says that it is all politics, and the Senator from Ohio [Mr. Fess] seems to agree with him.

Mr. President, I want fair treatment for the Attorney General. I want just consideration of his acts. But, sir, the interests of the people of the United States can not be submerged, can not be disregarded, can not be subordinated to considerations of sympathy or politics. While the investigation is on let it be thorough and complete. Let every rogue in office, whether Democrat or Republican, be brought to account. Let the Senate move with majesty and determination, in the face of puny and petulant criticism, to the performance of its duties. Such considerations overshadow, as stated by the Senator from Georgia [Mr. GEORGE], mere considerations of

personal interest and friendship. Deep down beneath the multifarious transactions pertaining to Government procedure in the recent past the committee must delve to find and make known the facts. If the result should prove that the Senator from Massachusetts [Mr. LODGE], the Senator from Pennsylvania [Mr. PEPPER], the Senator from Indiana [Mr. WATSON], and the President have done Mr. Daugherty an injustice by bringing every possible pressure to bear upon him to resign when he does not want to resign, if the facts justify the vindication of the Attorney General, no one will be more highly gratified than I.

#### AGRICULTURAL DIVERSIFICATION BILL.

Mr. NORBECK. Mr. President, this bill may fairly be considered as two separate measures. When introduced it covered only one feature—relief for the farmers in the wheat area. It provided for a \$50,000,000 fund to be loaned in small amounts to worthy farmers for the purchase of livestock as an important step in the necessary diversification. This is the feature on which the committee held hearings for several weeks.

Just before the bill was reported out of committee an amendment was offered and adopted providing for an additional \$25,000,000 to be loaned in sections outside of the wheat district in need of relief. This feature is applicable to every one of the 48 States in the Union and the Territory of Alaska, though it is not anticipated that there will be any great demand from that far away and much neglected part of this Union.

You will note that it is not intended to be an agricultural relief measure in any broad sense. It is, as the title expresses it, an emergency relief for a very limited area—the wheat belt—for those farmers who were not permitted to sell their products in a free and open market during the war.

Mr. KENDRICK. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. NORBECK. I yield.

Mr. KENDRICK. The bill, as I understand it, is limited to the wheat area, which is not described geographically. We would assume from that that it would pertain and apply more particularly to the large wheat-growing sections of Minnesota and North Dakota. Is that the Senator's idea?

Mr. NORBECK. Yes; more particularly in the way that they are the larger wheat-producing area, but it is not limited to that section.

Mr. KENDRICK. It is not limited to that section?

Mr. NORBECK. No.

Mr. KENDRICK. It will apply to surrounding States—South Dakota, Wyoming, Montana, and States of that kind—

Mr. NORBECK. That is the understanding.

Mr. KENDRICK. In the same proportion where the same conditions prevail and the same need for relief is felt?

Mr. NORBECK. Exactly.

Mr. KENDRICK. I thank the Senator, for he is unusually well informed as to conditions in my State and knows that wheat growers of Wyoming have been punished as severely as those of any place in the country and will therefore be entitled to every provision of relief that can be extended to them.

Mr. NORBECK. The Government did not only fix the price of wheat, but it fixed it 50 or 60 cents per bushel below the prevailing market and held it down to the same level when every other commodity was permitted to soar. Wheat farmers have a special claim upon the Government, because the widespread disaster that now exists in that region was due primarily to governmental action:

First. By lowering the price and holding it down.

Second. By appealing to the wheat farmer to win the war by a greater production of wheat.

Third. By inaugurating an effective system to reduce the domestic consumption of wheat.

It is always an open question how much the farmers lost by the Government interference with the wheat market. The price was reduced by the Government approximately 50 cents a bushel. Upon that basis they can prove a loss of nearly \$2,000,000,000. But had their products been permitted to find their own price levels in a free and open market, as other commodities, the farmers would have received some six or eight billion dollars more for their wheat.

No class in the whole country responded more readily to the appeal of our Government than did the wheat farmer. He understood his farming conditions well; he needed no tutor. He was not only aware of the benefits of diversification, but he realized its absolute necessity. He had already substantially

reduced his wheat area and materially increased his livestock holdings in the years preceding the war, as will be shown in the table on page 139 of the hearings. But the Government said "more wheat"—so he sold his hogs, he sold his cattle, he sold his sheep. He invested the money in plows, harrows, binders, tractors, and trucks. His compliance with the Government suggestion was 100 per cent.

Neither did the farmer complain of the fact that an effective propaganda was inaugurated to reduce the domestic consumption of wheat.

The Government succeeded in weaning our people away from wheat. Had it not been for the increased acreage and the decreased consumption, due directly to governmental orders, we would not now be exporting a surplus product. The farmer would have been selling all his products in a protected market, for he would be supplying the domestic market only. He would be selling his wheat at a profit instead of at a loss. At the present time he is selling his exportable surplus in the world market in competition with cheap labor and cheap land, and this feature has largely regulated the price in the domestic market.

You would think from this, Mr. President, that the Government had done plenty to the wheat farmer and that they would not have thought of doing any more to him. But truth is stranger than fiction. The facts are that while the Government acted as the beneficent agent of the farmer in the handling of his grain they proceeded to take out of him a profit of somewhere between fifty and eighty million dollars.

It would be a fair statement to say that the Government holds in trust to-day more than \$50,000,000 of money that belongs to the farmers, taken from them by the Grain Corporation.

I well realize that a technical denial can be made of this fact, but any lawyer or layman would admit that the denial was technical and not fair, nor even true.

It seems that on at least two different occasions our Congress took pity on underfed and starving people of Europe. Under an act approved March 30, 1920, a credit for food supplies to the amount of nearly \$57,000,000 was given to Armenia, Austria, Czechoslovakia, Hungary, and Poland, for which the Government received the bonds of these countries. But the food furnished was from the stores of the Government Grain Corporation and no reimbursement was made to the farmers.

Under an act approved December 22, 1921, a \$20,000,000 fund was provided for Russia. The common impression is this was taken out of the United States Treasury, but it was taken from a fund that the Government held in trust for the farmers.

These facts are set out fully in a recent communication from the Treasury Department.

This country has prided itself on its liberal attitude to Europe, and it is difficult to understand why this relief burden should be borne by the wheat farmers instead of by the country as a whole.

This measure is commonly known as the "Coulter plan," named after Doctor Coulter, president of the North Dakota Agricultural College. It was the outgrowth of several conferences held in the northern wheat district, to see what measure of relief might be worked out for the wheat farmers. The people of South Dakota took no part in these conferences, but are in hearty accord with this purpose. South Dakota is no longer a one-crop State. We raise 5 bushels of corn for every 1 of wheat. Diversification started 40 years ago in the southern part of my State, but the northern part has continued up to the present time to be a heavy producer of wheat. This is the section that participated in a small way in the seed-grain loan of last year, but I am proud to report that 86 per cent of that loan has already been repaid to the Government and the remainder is in process of collection.

Even under normal conditions the credit situation of the western country is different than other sections. There is a scarcity of local capital. The country is new and its accumulation of cash is small. The large industries that have made so many wealthy people in other sections and created such a surplus of funds as to provide available credit are unknown in the Northwest. The rich man does not live among us. When we buy a wagon, a harrow, or a sled we send our money East. When we buy shoes, or clothing, or groceries, the money goes East. When we pay for a life-insurance policy or a fire-insurance policy the money goes East.

The Northwest farmer from the very beginning of the settlement of the country has fully realized that he needs two kinds of credit. He can generally secure the long-time or farm-mortgage money from the East through life insurance companies or farm mortgage bankers. In the 50 years of its set-

tlement there has always been a scarcity of short-time money, except for a short period of inflation following the close of the war. Never has there been such a shortage as in the last three years; the deflation period. Ordinarily small loans would be available at the local banks for putting in the crops or the harvesting of same, or for the payment of taxes or other current expenses until the crop could be marketed. Eastern or outside capital has never been available for these purposes and is not now.

We have for a half century been suffering from a scarcity of funds and high interest rates. The farmer's hopes ran high a year and a half ago, when it was announced that the Federal Government at Washington would soon inaugurate an intermediate credit system that would make funds available for the farmer's ordinary needs. But the most promising thing about the proposition was that we were assured that it would tend to reduce interest rates. I shall not here deal on the disappointments of the failure to secure the promised legislation.

The purpose of this bill is not to have the Government reimburse the farmer for his loss. It does not even aim at securing a better market for him in the future. It is an emergency measure to reach a small percentage of farmers who must diversify in order to survive.

Mr. KENDRICK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. NORBECK. I yield.

Mr. KENDRICK. I should like to ask the Senator if there is not a widespread appeal from the Northwest for this proposed legislation, and does not that appeal come from men in every line of business and every industry as well as from the agricultural or farming community?

Mr. NORBECK. Yes. The Senator from Wyoming is entirely correct. I will speak of that later. There is universal demand for this proposed legislation from many of the Northwestern States. That demand comes from Minnesota, North Dakota, South Dakota, Montana, and other States.

There are over 20,000 farmers in North Dakota alone who do not produce their own milk and butter. They are without livestock. They have not the funds with which to purchase. There is no credit available to them. They have inquired at the Federal reserve bank and have been told that they are not eligible as customers. They have received the same answer from the War Finance Corporation. They have gone to the intermediate credit and have turned back without hope, the first requirement being that the loan must be made through a local bank.

The widespread disaster has ruined or crippled about 95 per cent of the banks in the northern wheat district. There is not one bank in twenty that is able to take on an additional burden. The farmer can look to no one, except to the Government—that ruined him—to give him a small chance once more. The farmers ask through this measure that the Government lend them a few hundred dollars each with which to purchase some cows, pigs, or other livestock. They have the land; they have the buildings; most of them have the experience. They are men of long residence and good standing in their communities. They are worthy and well qualified.

The bill provides that the maximum loan shall not exceed \$1,000, but it is believed that the average loan will be less than half of this.

In the long, thorough investigations conducted by the Agricultural Committee of the Senate much accurate and valuable information was secured. Among witnesses who appeared were practical farmers from the Northwest, officials of farm organizations, persons connected with the agricultural colleges, State officials having special charge of agricultural work, and many bankers and business men who spoke with an intimate knowledge of the situation.

Under the direction of the North Dakota Agricultural College, a careful survey was made of the needs of a typical section of this wheat district. I desire to quote from the testimony given by Mr. Willard, farm economist of the college referred to. I ask that the testimony of Doctor Willard may be inserted in the Record without reading. It deals at length and in detail with the situation. They took a survey of a large part of the county; they took a number of farmers and figured out the per cent of those who had buildings and those who had lands, how many cattle they could handle, what their credit facilities were, what their chance of success was, and what their attitude toward a measure of this kind was.

The PRESIDING OFFICER. Without objection, the request of the Senator from South Dakota will be granted.

The testimony referred to its as follows:

I wish to turn now for just a few minutes to a short discussion of a survey that we made near the central part of State for the very purpose of determining the necessity and the applicability of this \$1,000 loan proposition as embodied in the proposed legislation. We took a corps of 12 men, who are trained men, who understand how to get this sort of information, to this region and we completely covered three townships and half of a fourth, taking every farmer without regard to who he was, and got a set of detailed information from him as to his cropping system, his amount of stock, the various classes, his net worth; that is, his assets of all sorts and liabilities, consisting of first, second, and third mortgages, his chattels, personal notes, back taxes, interest past due, etc. We verified those liabilities with the financial representative of those farmers and found that they had given in general a very true report, and some of the information contained in that survey I will touch upon, and you may find in these sheets the detailed information, which you can consider at your leisure. That region is representative of probably more than two-thirds of the State of North Dakota, and also is applicable to parts of Montana and South Dakota.

The average size of farms in this region was 575 acres, and 217 acres was in wheat, and this comprised 47 per cent of the crop area of those farms. The average yield of wheat for five years was slightly over 8 bushels on these farms and for this year 5.6 bushels, being about 40 per cent less this year than for the five-year average.

Of all the crops produced, corn, which occupied about 11 per cent of the crop area, maintained its average five-year yield of approximately 24 bushels to the acre. There is some variation between owners and tenants. There were 61 owners and 45 tenants covered. The number of livestock varies between them somewhat, but in general the relationship holds for both classes.

There were 21 farms out of the total 106 farms that had no brood sows whatever; there were 48 out of 106 that had 2 or less; out of 106 farms there were 13 who did raise some sheep and 88 per cent raised no sheep at all. There were 14 farms that had less than 50 head of poultry, and there were 54 farms, or more than 50 per cent, that had less than 100 poultry, which is about the lowest economic unit for our conditions.

There were 50 farms that had less than five milch cows, and those milch cows were only milch cows of a sort, because they were of the short-horn breed that are usually recognized as of the beef type, and these they were endeavoring to milk.

On this average farm the total income for dairy sales amounted to \$234 per farm, that meaning a cash income of only \$39 per cow. For all classes of cattle, both beef and dairy, the combined income reduced the average income per cow to \$23.

Now, in spite of that low income, under present conditions it was a better proposition than wheat, as I will point out just a minute later. Now, these farms show from the quality of the livestock quite definitely how this loan can be used to big advantage, and we determined the number of farmers who desire to make use of this loan for these purposes also. There were 31 farms out of 106 that had scrub sires for cattle. There were 30 farms that had pure-bred sires. The remainder in between had a rather low quality grade cattle.

Now, the outstanding things that these farms require is to improve the quality by disposing of the scrub stuff and substituting therefor pure-bred sires and in some cases better quality of grade stuff.

Records and experiments carried on in actual farms in surrounding territory and across the line in Canada indicate that in two years, with such a substitution in the quality of the stock, an increase in the income, without additional cost, of 50 per cent can be made in two or three years.

In the case of hog production we find the same sort of situation, practically. Twenty per cent of the farms have no sows at all, and there are 10 per cent more that had scrub sires, and there the same sort of introduction should be made.

At the present time and for a number of years sheep have been the most economical class of livestock that we have in North Dakota, as determined from detail records we have maintained on many farms where sheep have been handled. A very large number of the 88 per cent who have no sheep should immediately arrange for a sufficient number of sheep to begin on this enterprise as quickly as possible, and if the governmental policy with respect to the tariff on wool is maintained there is little prospect of overdoing the wool business for many, many years to come.

Now, the total average sales from these farms, being 575 acres in size, amounted to only \$968, and that means a turnover of only 3.3 per cent on the investment.

Of 61 owners, 52 reported that they had barns and other buildings; and I might say that this section was visited by a terrific storm during the last year which almost completely demolished a few farmsteads, which accounts for the fact that not all owners of farms are now equipped with buildings, because it is rather the exception that they do not have barns for their work stock at least which are capable of housing some more additional livestock. Twenty-one out of 61 owner

farms reported tractors and 47 reported automobiles. Fifty-eight out of 61 owner farms reported a considerable mileage of fence and 58 reported considerable quantities of feed and seed on hand for future use.

Now, in regard to obligations, 55 out of 61 owners reported first mortgages, and the average first mortgage amounted to \$6,700 per farm; 19 reported second mortgages, and 3 reported third mortgages; 32 owners and 32 tenants out of 106 farms reported chattel mortgages; 101 farms had some sort of liabilities; only 5 farms out of the 106 had no obligations.

Now, the average amount of assets of owner farms was \$29,419, and the average amount of liabilities was \$11,317, and the average amount of net worth was \$18,102 for owners. For tenants the average amount of net worth was \$1,507, their average assets being \$3,426. The relation of liabilities to assets seems to be of some significance and we find that of the owners 38 per cent of their assets was covered by liabilities, and in the case of the tenants 50 per cent was so covered. Of the owner farms 8 per cent had liabilities in excess of their assets, 37 per cent of the owners have more than half of their assets covered by liabilities, and of the tenants 13 per cent have liabilities in excess of their assets and 41 per cent have more than half of their assets covered by obligations. Under these conditions about 40 per cent do not have collateral of any sort with which to secure loans for livestock or any other purpose, even if money were available for their use.

In order to determine the attitude of the farmers toward the loan a series of question were asked. For example, we found that 34 out of 58 owners said they wanted to get this loan. They also said that they would be willing to make a report every 60 days on the condition of the livestock, and all but 1 of them said that he would be willing to accept the advice of a Government or agricultural college representative, if it were practical, in the handling of such livestock. Twenty-eight of the 34 who answered yes said that they had or could provide shelter for the livestock, and 33 said they had a sufficient water supply; 29 said that they had or could provide ample pasture.

The relative number of tenants that need the loan was greater than the relative number of owners, but the answers to these various questions as to shelter, the taking of advice, etc., was in about the same relative proportion.

Twenty-five farmers out of those desiring the loan wanted to replace the poor quality of stock, 32 out of 64 wanted to add to the stock they now have, and 7 wanted to start anew. This relationship, of course, is expected because of the livestock that they now have.

In the case of owners of small farms 60 per cent of their assets are covered by liabilities. The intermediate-size farms, between 320 and 640 acres, about 41 per cent are covered by liabilities. In the case of the large farms 28 per cent are covered by liabilities, and the average for all owners is 38 per cent.

Now, the relation of the livestock business to net worth has an important bearing in determining whether we want to urge livestock or not, so we made as careful a study as we could from this material and corroborated it from other information that we have from many parts of the State, and we find for these owner farms that have no livestock or very little livestock their net worth was \$41 per acre, whereas those who had considerable livestock and made more sales the net worth per acre is \$46, and we made an arbitrary division right in the middle, the lower half and the upper half, and their net worth was \$46 an acre of land owned, or a difference of \$5 in favor of the livestock farmer. That meant a difference in the net worth per farm on an equal-sized basis of approximately \$4,000 in favor of the livestock fellow over the fellow who had little or no livestock.

Mr. NORBECK. Mr. President, the question has been raised whether diversification will result in overproduction in other lines. The production of dairy products has not kept pace with the consumption.

I quote further from the testimony of Mr. Willard:

In 1919, for example, we had a balance of trade in exports of dairy products; that is to say, that we exported more than we were importing by 2,645,000,000 pounds. But from 1919 down to the present time we have gradually reduced our exports until in the year just passed, according to the estimates furnished me by the Department of Agriculture, based on the commerce reports as far as they are available, we actually imported in 1923, 500,000,000 pounds of dairy products. That is the net balance.

From the standpoint of the national welfare we are now importing dairy products where a few years ago we were exporting large quantities. We are importing large quantities of wool. Our balance of trade in poultry products is slightly on the export side.

Mr. President, in closing I wish to repeat what I said in the beginning, that this is not a measure of general farm relief. The enactment of this bill into law will not bring the farmer's dollar back to par. He will still be unable to exchange a day's labor with anybody. This measure simply provides for limited credit to the farmers in the wheat region that have been nearly shipwrecked by Government interference with economic law.

This measure does not provide that the \$8,000,000,000 that the wheat farmer lost by the Government refusing him a free and open market when every other industry was accorded one shall be paid back to him.

Nor does it even provide that he shall be reimbursed for the \$2,000,000,000 that was lost on account of the Government lowering the price of wheat from its actual market to a lower fixed price.

It does not even provide that the \$50,000,000 to \$80,000,000 abstracted from the farmers by the Government Grain Corporation in the way of profits in dealing with his grain shall go back to the farmer's pockets.

Mr. President, this bill simply provides that the money taken away from the farmers in the form of profit by the Government Grain Corporation shall be loaned to them for a short time at 6 per cent interest.

Mr. President, I ask that a communication addressed to me by the Treasury Department may be published in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The communication referred to is as follows:

THE TREASURY DEPARTMENT,  
OFFICE OF THE SECRETARY,  
Washington, February 29, 1924.

MY DEAR SENATOR: Referring to your telephone inquiry of to-day with respect to the profits of the United States Grain Corporation, the Treasury does not have all the details of the matter, and you could probably obtain more complete data, if desired, by addressing Mr. Edward M. Flish, president and treasurer United States Grain Corporation, 42 Broadway, New York City, but I hope that the following will serve your purpose:

The Treasury's information is that substantially all of the profits of the grain corporation, and in fact some of its capital, have been used up in providing relief under two special acts of Congress, for part of which foreign obligations were received in payment. In this connection I am inclosing herewith a copy of the act approved March 30, 1920, authorizing the corporation to sell or dispose of flour then in its possession, not to exceed 5,000,000 barrels, for cash or credit and at such prices and on such terms and conditions as might be necessary to carry out the purposes of the act for relief of the populations in countries of Europe or countries contiguous thereto suffering for want of food. For this flour the grain corporation received foreign obligations aggregating \$56,858,802.49, face amount, a list of which is shown on the reverse side of the statement of the public debt for November 30, 1923. (Copy inclosed.)

I am inclosing also a copy of the act approved December 22, 1921, authorizing the expenditure from the funds of the United States Grain Corporation of a sum not exceeding \$20,000,000, or so much thereof as should be necessary, to purchase in the United States and transport and distribute corn, seed grain, and preserved milk for the relief of the distressed and starving people of Russia and for spring planting in areas where seed grains have been exhausted. I understand that the expenditures made by the corporation under authorization of this act practically exhausted its remaining cash assets.

The \$500,000,000 capital stock of the corporation, all of which was owned by the United States Government, has been reduced by repayments to the Treasury of \$475,000,000, and the Treasury understands from the corporation that the remaining \$25,000,000 of capital stock has since been retired in the course of liquidation, so that the corporation now has no stock outstanding. It is, in fact, in course of dissolution under the Delaware law, its charter having expired on August 16, 1922, and has practically no assets remaining.

You may also be interested in the President's Executive order of August 21, 1920, which provided in part as follows:

"The United States Grain Corporation (a governmental agency organized and conducted pursuant to Executive orders and proclamations of the President under said acts of Congress) shall pay and cover, or cause to be paid and covered, into the Treasury of the United States, as miscellaneous receipts, all amounts refunded by certain licensees of the United States Food Administration (a governmental agency organized and conducted pursuant to Executive orders and proclamations of the President, under said act of Congress approved August 10, 1917), in voluntary divestment of profits taken by said licensees during the 10 months which ended June 30, 1918, in excess of the maximum allowable profits fixed and determined under and pursuant to said act of Congress approved August 10, 1917, and the proclamations, Executive orders, and regulations thereunder, . . ."

Under this order the United States Grain Corporation deposited in the Treasury cash to the amount of \$7,078,988.55, which was covered into the Treasury as miscellaneous receipts.

From the above it will be apparent that in connection with the retirement of its \$500,000,000 capital stock subscribed for by the Government, the corporation has repaid to the Treasury \$475,000,000, and

for the remaining \$25,000,000 has delivered \$56,858,802.49 face amount obligations of foreign countries, whose economic conditions are such as to negative any expectation of early payment.

Very truly yours,

A. W. MELLON,  
Secretary of the Treasury.

HON. PETER NORBECK,  
United States Senate, Washington, D. C.

COLOMBIAN STEAMSHIP CO.

Mr. FLETCHER. Mr. President, I do not wish to delay a vote on the pending resolution; I am perfectly willing that a vote should be taken; I merely wish to occupy a moment or two while others may be getting ready to discuss the resolution, before the vote on it, to have inserted in the RECORD a letter which I have received from the Colombian Steamship Co. of New York.

On the 13th day of February I submitted some observations on the general subject of the shipping situation. In those remarks on page 2372 of the CONGRESSIONAL RECORD I made reference to the Colombian Steamship Co. It appears that as to one particular matter, which I stated had come to me on information, my statement was somewhat erroneous. I asked the Colombian Steamship Co. to submit the facts to me, which they have done in this letter, and I ask to have the letter inserted in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection, and it will be so ordered.

The letter referred to is as follows:

COLOMBIAN STEAMSHIP CO. (INC.),  
New York, February 19, 1924.

HON. DUNCAN U. FLETCHER,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have been interested in reading your speech in the Senate on the shipping situation as recorded in the CONGRESSIONAL RECORD of February 13, although you probably know that I do not agree; in fact, am opposed to the principle of Government operation, which your remarks from time to time lead me to believe you favor if I correctly interpret them.

I know that you do not wish to make an incorrect statement against any American line, and especially a comparatively new company that is seeking to develop at its own expense business in American ships from American ports to foreign countries. In the next to the last paragraph of the first column on page 2372 of the CONGRESSIONAL RECORD of February 13, after commenting as to the number of ships in operation under the direction of the Shipping Board owned by the Government, you state that some of these contracts require examination, and illustrate the Colombian Line, New York to Windward Islands, as purchasing three ships from the Shipping Board and later being allocated four vessels by the Shipping Board. You are not correctly informed.

The facts are that the Colombian Steamship Co. was organized in April, 1923, with a capital of \$500,000, subscribed to by a few American citizens of Massachusetts, New York, New Jersey, Georgia, and Florida for the purpose of operating, primarily, to Colombia, but with calls at some West Indian ports. This company purchased five steamers from the Shipping Board, which were placed in the route with one other steamer owned by an affiliated company. The Shipping Board had up to this time been operating through agents three services covered by nine ships to the various foreign ports in the Caribbean and to the north coast of South America. The Shipping Board ships are now covering the Virgin Islands, Trinidad, British, French, and Dutch Guiana with two steamers, and have one vessel engaged in the Haitian outport trade. To all of their ports they have no privately owned American competitive sailings. Our joint services with the Shipping Board cover 28 ports under five foreign flags to which there has never been an established private American flag service. The Colombian privately owned service to the Windward Islands since the purchase of the ships from the Government has operated at a loss.

The only compensation that the Colombian line has received from the Shipping Board for operating all of its three vessels is that provided under the M. O. 4 agreement. The overhead expenses to which you refer are borne entirely by the Colombian Steamship Co. The Shipping Board in no way contributes to this expense, either directly or indirectly.

The Colombian Steamship Co. (Inc.) is the first privately owned American steamship company to buy in its entirety a Shipping Board service established under the merchant marine act of 1920.

Very truly yours,

COLOMBIAN STEAMSHIP CO. (INC.),  
H. H. RAYMOND, President.

Mr. FLETCHER. Mr. President, I desire to refer to one other matter. On July 29, 1921, in the CONGRESSIONAL RECORD, page 4791, Sixty-seventh Congress, first session, I submitted some observations on the subject of the discrimination in ocean freight rates against South Atlantic ports and Gulf ports and in favor

of North Atlantic ports. I understand the situation which I described at that time still continues. There has been some suggestion recently looking to a possible increase in trans-Atlantic Ocean freight rates, and I want to submit that before such increase goes into effect there should be a readjustment of the rates now discriminatory against the Gulf ports and South Atlantic ports and in favor of North Atlantic ports, extending all the way from Norfolk to Galveston, such discrimination including Wilmington, Charleston, Savannah, Brunswick, Fernandina, Jacksonville, Key West, Tampa, Pensacola, Mobile, and New Orleans. Those rates should be readjusted and those discriminations should be done away with. The present system is based on old-established rates. Prior to the time when we had adequate shipping under our flag and were dependent upon foreign lines to carry our products overseas the foreign lines put those rates into effect. They allowed differentials against the South Atlantic and Gulf ports which have been in effect for many years and are still continued. I submit that if there is to be any increase of trans-Atlantic Ocean rates there should be a readjustment respecting these old rates, and there should be an observance of the constitutional provision which protects the ports of this country, and which is to the effect that no preference shall be given to the ports of one State over those of another.

I have before me an extract from the *Traffic World* on this subject, and a communication from Mr. R. L. McKellar, of Louisville, Ky., which I ask to have inserted in the *RECORD* and referred to the Committee on Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLETCHER. And upon the subject of the proposed increase of ocean rates, particularly as applied to agricultural products, I desire to have inserted in the *RECORD* also and referred to the Committee on Commerce a letter from the Secretary of Agriculture, dated February 29.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

#### OPPOSES SOUTHERN RATE CHANGES.

Officials of steamship lines operating from New York to Europe are protesting to the Shipping Board against the movement started by R. L. McKellar, foreign freight traffic manager of the Southern Railway Co., to obtain export rates by Government vessels from south Atlantic ports equal to the New York rates. Local shipping men declare that the present rail-and-water rates are not unfair to the southern ports, considering the length of railroad and ocean hauls, and that the McKellar proposal would, in effect, be a distinct advantage to those points.

The normal movement to Europe from Chicago is through New York, which is the most direct route, and a differential in favor of Jacksonville is not only uneconomic but unjustified by any other reason, according to New York officials.

Mr. McKellar's illustration of the movement of agricultural implements from Chicago to French ports has been analyzed on the basis of present and proposed rates. The railroad rate from Chicago to New York is 47.5 cents per 100 pounds, or \$10.64 a ton. The rail rate to Jacksonville is 41.5 cents per 100 pounds, or \$9.30 a ton. The ocean rate from New York to French ports, on the basis of one weight ton equaling two measurement tons, is \$10, while the Jacksonville rate is \$11.60. The rail-and-water rate by way of New York is \$20.64 a ton, compared with \$20.90 a ton by Jacksonville, which is a longer route. If the steamship rates were equalized, as suggested by Mr. McKellar, the combined rate per ton by New York would be \$20.64 against \$19.30 by Jacksonville, a differential in favor of the latter port of \$1.34 a ton. If points lower down the Mississippi and Missouri River territories are taken, the advantage in favor of Jacksonville would be correspondingly greater.

In the opinion of local shipping men this would be a discrimination against New York without any economic justification. (Taken from the *Traffic World*, February 2, 1924, p. 295.)

#### OCEAN RATES FROM ATLANTIC AND GULF PORTS TO EUROPEAN AND MEDITERRANEAN PORTS.

The parity adjustment of ocean rates that is being demanded by southern ports is needed to couple up with the approximate parity of inland rates from competitive territory, thus providing an adjustment of through rates and routes to foreign ports that will enable our foreign commerce originating in midwest and northwest territory to flow freely and without discrimination through all Atlantic and Gulf ports offering suitable steamship service. A wider distribution of our foreign commerce through Atlantic and Gulf ports is also economically desirable from the fact that the preponderance of traffic movement from the midwest is eastbound and from southern territory it is northbound, which means that the empty-car movement in eastern and middle

western territory is westbound and in southern territory it is southbound; therefore, an additional loaded movement southbound, which export business will supply, will bring about a more equitable disposition of available cars and reduce the empty-car movement.

#### EXISTING DIFFERENTIALS FAVORABLE TO NORTH ATLANTIC PORTS.

Ocean rates from North Atlantic, South Atlantic, and Gulf ports to Cuba and other West Indian ports, South America, Central America, the Orient, through the Panama Canal, and even to Mexican ports, are the same from the three groups, notwithstanding the great disparity in distance in favor of the Gulf and South Atlantic as compared with the North Atlantic to the majority of these foreign ports. On the other hand, ocean rates from Gulf and South Atlantic to United Kingdom and continental ports are higher than from North Atlantic ports, the differential from Gulf ports, except on a few parity commodities, being 15 cents per 100 pounds, and from South Atlantic ports, except on a few parity commodities, the differential is 7½ cents per 100 pounds higher than from North Atlantic ports. In brief, where distance is in favor of New York, as representative of the North Atlantic group, rates are lower than from southern ports, but where distance is in favor of southern ports rates are the same from New York as from the lesser distant southern ports. The measure of ocean rates is not at all in issue. It is the relationship between port groups.

Some few examples of existing distance in mileage and ocean rates as between North Atlantic, South Atlantic, and Gulf ports are as follows:

1. Distance from New York to Liverpool, 3,107 miles. From Charleston to Liverpool, 3,540 miles. New York, less than Charleston, 433 miles, or 12.2 per cent. Rates from Charleston to Liverpool are 7½ cents per hundred pounds higher than from New York, except on coal, iron and steel, tobacco, and a few other parity commodities, which are the same as from New York. Cotton, which is a southern commodity, is 12½ cents per hundred pounds higher from Charleston than from New York.

2. From New York to Gibraltar, 3,207 miles. From Charleston to Gibraltar, 3,619 miles. New York, less than Charleston, 412 miles, or 13 per cent. Rates from Charleston to Mediterranean ports reached through Gibraltar are 7½ cents per hundred pounds higher than from New York, except on a few parity commodities.

3. From New York to Habana, 1,186 miles. From Jacksonville to Habana, 528 miles. Jacksonville, less than New York, 658 miles, or 55.5 per cent. Rates from New York to Habana are the same as from Jacksonville and other South Atlantic ports.

4. From New York to Habana, 1,186 miles. From Mobile to Habana, 553 miles. Mobile, less than New York, 633 miles, or 53.4 per cent. Rates from New York and Mobile to Habana are the same.

5. From New York to Colon, 1,974 miles. From Mobile to Colon, 1,371 miles. Mobile, less than New York, 603 miles, or 30.5 per cent. Rates from New York and Mobile to the west coast of South America, Orient, Philippines, Australia, New Zealand, and India, reached through the Panama Canal, are the same.

6. From New York to Liverpool, 3,107 miles. From New Orleans to Liverpool, 4,613 miles. New York, less than New Orleans, 1,506 miles, or 32.7 per cent. Rates from New Orleans to Liverpool are 15 cents per hundred pounds higher than from New York, except on tobacco, iron and steel, and a few other parity commodities, which are the same. Cotton, a southern commodity, is 20 cents per hundred pounds higher than from New York.

7. From New York to Gibraltar, 3,207 miles. From New Orleans to Gibraltar, 4,593 miles. New York less than New Orleans, 1,386 miles, or 30 per cent. Rates from New Orleans to Mediterranean ports reached through Gibraltar are 15 cents per hundred pounds higher than from New York, except on a few parity commodities, which are the same.

8. From New York to Vera Cruz, 2,017 miles. From New Orleans to Vera Cruz, 789 miles. New Orleans less than New York, 1,228 miles, or 60.9 per cent. Rates from New York and New Orleans to Vera Cruz are the same. From New Orleans to Tampico is 711 miles, or 65 per cent, less than from New York.

There are some other parity exceptions not mentioned, but in the main the general adjustment is as outlined.

The examples of discrimination given can be multiplied without limit, but these are sufficient to be fully illustrative.

There is a fringe of territory extending all around from Halifax to Galveston for 400 to 500 miles into the interior hinterland, from which territory rail rates to the seaboard are carried lowest to the nearest group of ports, as, for example, from territory on and east of the Buffalo-Pittsburgh line rail rates are lower to North Atlantic ports than to other competing ports, and from territory east of the Allegheny Mountains, including West Virginia, they are lowest to Virginia and South Atlantic ports; and from territory south of the Ohio River, embracing the Southeast and Mississippi Valley territory, they are lowest to South Atlantic and Gulf ports; and from Arkansas, Oklahoma, and Texas they are lowest to Gulf ports. From this hinterland territory it is entirely proper that both rail and ocean rates be so adjusted as to insure movement through nearby port, but from

competitive mid-west territory, including the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and other States north of the Missouri River, the rail rates to Gulf and South Atlantic ports for export are, with few exceptions, the same or no higher than to New York. This mid-west territory is highly productive of measurement cargo, which is so essential to profitable steamship operation; therefore, if there is a parity of ocean rates from Gulf, South and North Atlantic ports, it will allow export commodities originating in this large and productive territory to move to foreign ports on an approximate parity of through rates all the way around the circle from Halifax to New Orleans, with the exception of slight differentials in inland rates that exist in favor of Norfolk, Baltimore, Philadelphia, and Canadian ports under New York.

However, the approximate parity of inland rate adjustment from this competitive mid-west territory outlined is nullified so far as European movement is concerned, unless there is a parity adjustment of ocean rates on commodities originating in that territory.

It is appreciated that the differential ocean adjustment so manifestly discriminatory against South Atlantic and Gulf ports is of several years standing, and that any readjustment will be stubbornly resisted by competing interests. It is a fact, however, that this adjustment was established by foreign steamship lines whose interests largely center at New York, and before this country had a merchant marine of its own and prior to the publication by rail lines of export rates from the Middle West to South Atlantic and Gulf ports the same as to New York.

As a general proposition, ocean rates in the reverse direction on import traffic from Europe to United States ports are practically the same as to North Atlantic, South Atlantic, and Gulf ports.

#### PROPOSED DIFFERENTIALS IN FAVOR OF SOUTHERN PORTS.

Gulf and South Atlantic ports, and interior exporters using those ports, have for some time been contending for differential ocean rates under eastern ports to Cuba and other Gulf and Caribbean ports, based on the shorter mileage as compared with North Atlantic. The percentage difference in distance in favor of Gulf and South Atlantic ports to Cuba and other Gulf and Caribbean ports is much greater than is the percentage difference in favor of New York to United Kingdom and continental ports; therefore, if the same ocean rates from both groups are justified in the one instance they should also be justified from both groups in the other. It is a well-known fact to steamship men that in actual practice ocean rates are not varied in direct ratio to the distance freight is transported; that distance is most often disregarded and that cost of service is only one factor in determining ocean rates, which are rarely, if ever, made as the result of a scientific process of calculation. If, however, it is decided that the present trans-Atlantic differentials, or any differential, from South Atlantic and Gulf ports higher than North Atlantic ports is justified, either by competition or greater steaming distance—and that differential should therefore be continued—then in all fairness South Atlantic and Gulf ports are entitled to like differentials under North Atlantic ports to Cuba and other Gulf and Caribbean ports based on the lesser mileage from southern ports, and it devolves upon the United States Shipping Board, as a neutral body charged by law with the responsibility of maintaining trade routes from all groups of ports, to remove this unjust discrimination against southern ports, either by wiping out the trans-Atlantic differentials or establishing relative differentials under the North Atlantic from southern ports to Gulf and Caribbean ports.

This is a proposition that not only vitally interests the ports involved, but also all interior exporters desiring the benefit of additional trade routes in marketing their products in foreign countries, and what is needed from the ocean carriers is to place South Atlantic and Gulf ports upon a competing rate basis to the same extent that has been done by the rail carriers.

Eastern steamship interests are unduly alarmed over the proposed readjustment from southern ports. In the first place, all of the leading North Atlantic steamship lines have resident representation in all the principal interior markets, and this representation, added to all other advantages enjoyed by the port of New York, is sufficient to insure the continued supremacy of that port in foreign commerce.

Some of the leading advantages enjoyed by the port of New York are as follows:

1. The influence that cargo in volume has upon the establishment and maintenance of adequate steamship service, it being axiomatic that volume begets volume.
2. Frequency and regularity of sailings; superior and faster service—freight and passenger and joint passenger and cargo.
3. The wide range of foreign ports served by regular steamship service.
4. Superior banking facilities for financing exports and imports.
5. The shorter ocean distance to Europe than from southern ports.
6. The saving in interest charges by using the shorter and faster voyages from New York, as compared with the longer and slower voyages from southern ports.

7. The location of headquarters for all the leading steamship lines, including those serving outports.

8. The location of export and import commission houses.

9. The location of commercial representatives of foreign countries engaged in export and import trade.

10. The location of export and import offices of shippers, carriers (both rail and ocean), and foreign buyers, thus affording a meeting place for all of these foreign trade interests.

11. The volume of exports produced locally in the New York metropolitan district.

12. The volume of exports moving locally into New York for storage, rehandling, and sale by local export commission houses.

13. The volume of mixed car movement of less-than-carload commodities on basis of carload rates.

14. The volume of imports consumed locally in the New York metropolitan district.

15. Advantageous marine insurance rates and facilities.

16. The availability of ocean rates on distress room.

17. The strength of east-and-west lines in controlling export freight for their long haul from highly productive territory.

18. The use of long established trade routes and port arrangements incident thereto which, as a whole, makes the route through New York the line of least resistance.

These cumulative advantages render discriminating ocean differentials in favor of New York entirely unnecessary; in fact, these advantages outweigh any small differential against New York as evidenced by existing rail differentials in favor of Philadelphia, Baltimore, and Montreal, and they also overbalance substantially higher port charges, both in the handling of freight and in the docking of vessels, as compared with southern ports, where ordinarily no charge is assessed for docking vessels.

R. L. McKellar.

DEPARTMENT OF AGRICULTURE,  
OFFICE OF SECRETARY,

Washington.

In reply to a letter addressed to him by Mr. Alfred G. Smith, president American Steamship Owners' Association, and made public in the press of February 27, Secretary of Agriculture Wallace released yesterday his answer to Mr. Smith as follows:

FEBRUARY 29, 1924.

DEAR MR. SMITH: I have your letter of February 25 with regard to the advance of 10 cents per hundred pounds on ocean shipments of packing-house commodities.

You say, "In the first place the advance is entirely justified, and, in the second place, as the commodities affected are principally manufactured packing-house products the prices received by the farmers can not in any way be affected."

From the standpoint of the shippers the advance can not be justified, and when I speak of the shipper of meat products I am thinking not of the packer but of the farmers and of stockmen who produce the livestock from which the meat is processed. Your suggestion that advance on packing-house products can not in any way affect the farmer is not well considered. The packer is in a position to take his manufacturing margin whether prices of livestock are high or low. His operating expense, including freight which must be paid, is included in the margin he takes and must be passed on. Transportation and packing charges are a part of the farmers' cost of production. Our meat products are competing in the European market with meat products from other countries. High freight rates and shipping rates handicap us in meeting that competition, and it is conceivable that these rates might be advanced to a point which would drive us entirely out of the market and leave us burdened with a domestic surplus which would be ruinous to our producers. Hog prices are even now below cost of production.

There is another angle to this matter which I wish you would consider. Your proposed increase in the shipping rate, while seemingly not large, is nevertheless substantial. If as a result of this increased cost of getting our livestock to market (for meat must be considered in terms of livestock) our foreign market is narrowed, shipping lines will suffer because of decreased shipments. It is quite possible that the decrease in the amount of freight moved might be much more than enough through reduction in total revenue from this kind of traffic to more than offset any possible gain from an advance in the rates.

I think a study of the relative prices of American meat products before the war and at the present time and of shipping rates before the war and at the present time will show that shipping rates have advanced out of proportion to the price of products. I am told that in November last the rate on meat products was advanced from 35 to 40 cents.

I am told further that, while this proposed increase does not affect wheat or other grains, there has been a steady upward trend in freight rates on wheat and flour since last September.

Permit me to make clear my position by saying that at the present time American farmers can not stand any advance whatsoever in any

freight rates on any agricultural products on land or sea. American agriculture has been undergoing a depression, the like of which we have not seen before in all our history. Prices which the farmers get for their products are altogether out of line with prices which they pay for what they buy. They can not afford to pay one penny more in the way of freight rates. Indeed, they can not afford to pay the rates now in force.

Our shipping lines can render a great service to agriculture in its depressed state if they will make substantial reductions in rates on grains and meat products and do everything they possibly can to help farmers enlarge the foreign market for their surplus. I am convinced that such a policy would not only be of great benefit to the farmers but would be decidedly helpful to our shipping lines as well.

The condition of agriculture is such that all who transport, process, and handle farm products ought to reduce their charges to the minimum, and do everything possible to aid in its rehabilitation.

Very sincerely,

HENRY C. WALLACE.

MR. ALFRED GILBERT SMITH,

President American Steamship Owners' Association,  
11 Broadway, New York, N. Y.

#### REDUCTION OF TAXES—ADJUSTED COMPENSATION OF WORLD WAR VETERANS.

MR. OWEN. Mr. President, I have received quite a number of letters in which apparently there was a determined purpose to establish the theory that the reduction of taxes necessarily would eliminate the soldier bonus. I do not think that is true at all. I think the reduction of taxes can be carried out quite consistently with the granting of the soldier bonus. Under the proposal made by Mr. Mellon the reduction of taxes will be \$300,000,000, of which \$102,000,000 on surtaxes would increase the revenues by increasing the volume of business, so as practically to recoup that.

On the basis of the amortization system established by the farm loan act first as a principle in this country, if applied to the soldier bonus, and applied in precisely the same way that it was applied in the payment of the loan to the British Empire by the United States, it would require only \$55,000,000 per annum to liquidate in 50 years the principal and interest of a billion dollars, or the total charge would be one and a half times \$55,000,000 per annum on a 50-year amortization plan. I requested Dr. Clarence Owens to have these figures worked out by an actuary, and I wish to submit for the Record and have referred to the Committee on Finance his letter in response to that request, together with the figures, so that they may be seen by Senators in the Record. It will be observed that the charge of \$55,000,000, plus the half of that amount, would be a little over \$75,000,000 per annum by which the soldier bonus could be liquidated, estimating it at a billion and a half.

THE PRESIDING OFFICER. Without objection, the letter and figures will be inserted in the Record and referred to the Committee on Finance.

The matter referred to is as follows:

THE SOUTHERN COMMERCIAL CONGRESS,  
Washington, D. C., February 5, 1924.

Senator ROBERT L. OWEN,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR OWEN: I have the honor to submit to you a plan employing the principle of amortization under which it would be possible to secure the funds with which to pay the cash under the soldier bonus bill.

The Southern Commercial Congress organized the American Commission that, under an act of the Congress of the United States, cooperated with the United States Commission on Rural Credits, appointed by the President of the United States. I had the honor to serve as a member of the commission appointed by President Woodrow Wilson March 14, 1913. The heart of the Federal farm loan act, passed by the Congress of the United States, based upon the report of these commissions, employs the principle of amortization, and under the law \$1,200,000,000 have been loaned to American farmers. The principle is therefore understood by the farmers throughout the United States, as every rural district in the country has been the recipient of the benefits of the law. Herewith you will find a digest of the reports of the commissions above referred to and also a copy of Senate bill 500 of the Sixty-fourth Congress, containing the Federal farm loan act. See page 29 of this document for the chronology of this legislation.

The Southern Commercial Congress during 1922 and 1923 organized and directed the International Trade Commission throughout Europe and submitted a plan for the settlement of the debts of nations, including German reparations, by the employment of the principle of amortization. The Southern Commercial Congress initiated this plan that was adopted in the settlement with Great Britain and Finland. The plan has been submitted to the debt-funding missions of all interested coun-

tries. Great Britain is now funding a debt of \$4,600,000,000 on this principle. The principle has been approved by the British Parliament and by the Congress of the United States. In approving it the Congress of the United States set aside a law previously adopted providing for 44 per cent and 25 years to run as a basis for the settlement of the debts of nations.

Now, with this high indorsement of the principle that has been sponsored by the Southern Commercial Congress, we have the privilege of submitting to you for your consideration a plan involving the principle that may be employed in providing the funds with which to pay the cash as a bonus to soldiers and sailors of the United States.

The plan involves the issuance of bonds by the United States, to be exempt from taxation, carrying 5 per cent interest and one-half of 1 per cent for amortization, or \$55,000,000 per billion dollars per annum, to retire the bonds in approximately 50 years. Herewith is a table indicating the amounts to be paid annually on account of interest and principal, showing the unpaid balance at the end of each year. If bonds are issued for one and one-half billion, then the annual fixed sum would be \$82,500,000.

If this plan is adopted, the Congress of the United States would not find it necessary to raise taxation nor to find new sources of revenue, nor appropriate money coming into the Treasury of the United States from the usual sources. It would be necessary only to apply to the annual payments a part of the annual amortization to be received from Great Britain. No doubt in the near future other nations now indebted to the United States will be given a similar privilege as extended to Great Britain, and they will be making annual payments to liquidate their indebtedness to the United States.

With the hope that this plan will meet with your approval and that you will submit it to the Congress of the United States, I beg to remain,

Cordially and sincerely,

CLARENCE J. OWENS, President.

[Submitted by Clarence J. Owens, president, Southern Commercial Congress.]

#### AMORTIZATION PLAN FOR ISSUANCE OF UNITED STATES BONDS TO PROVIDE CASH REQUIREMENTS FOR THE BONUS FOR AMERICAN SOLDIERS AND SAILORS.

Table showing annual payments on principal and interest upon \$1,000,000,000 to be amortized at 5 per cent and one-half of 1 per cent amortization.

(Annual payment \$53,000,000.)

Year.	Interest.	Paid on principal.	Balance unpaid.
1.....	\$50,000,000	\$5,000,000	\$995,000,000
2.....	49,750,000	5,250,000	989,750,000
3.....	49,427,000	5,513,000	984,237,000
4.....	49,211,850	5,788,150	978,448,850
5.....	48,922,443	6,077,557	972,371,293
6.....	48,618,595	6,381,435	965,989,858
7.....	48,299,493	6,700,507	959,289,351
8.....	47,964,468	7,035,532	952,253,819
9.....	47,610,690	7,387,309	944,866,511
10.....	47,243,328	7,756,674	937,109,836
11.....	46,856,492	8,144,508	928,965,328
12.....	46,448,265	8,551,734	920,413,594
13.....	46,020,680	8,979,320	911,434,274
14.....	45,571,714	9,428,588	902,005,686
15.....	45,100,299	9,899,701	892,105,987
16.....	44,605,314	10,394,886	881,711,091
17.....	44,085,580	10,914,420	870,797,181
18.....	43,539,859	11,460,141	859,337,040
19.....	42,968,852	12,033,148	847,303,892
20.....	42,365,195	12,634,805	834,669,087
21.....	41,733,454	13,266,546	821,402,541
22.....	41,070,127	13,929,873	807,472,668
23.....	40,378,633	14,626,367	792,846,301
24.....	39,642,315	15,357,685	777,488,616
25.....	38,874,431	16,125,569	761,363,047
26.....	38,068,152	16,931,848	744,431,199
27.....	37,221,360	17,778,440	726,652,759
28.....	36,332,638	18,667,362	707,985,397
29.....	35,399,270	19,600,730	688,384,667
30.....	34,419,233	20,580,767	667,803,900
31.....	33,390,195	21,609,805	646,194,095
32.....	32,309,705	22,690,295	623,503,800
33.....	31,175,190	23,821,810	599,679,990
34.....	29,983,950	25,016,050	574,662,940
35.....	28,733,147	26,266,853	548,396,087
36.....	27,419,804	27,580,196	520,815,891
37.....	26,040,795	28,959,205	491,856,686
38.....	24,592,834	30,407,166	461,449,520
39.....	23,072,476	31,927,524	429,521,995
40.....	21,476,100	33,523,900	395,998,096
41.....	19,799,905	35,200,098	360,798,001
42.....	18,039,900	36,960,100	323,837,901
43.....	16,191,895	38,808,105	285,029,796
44.....	14,251,490	40,748,510	244,281,286
45.....	12,214,064	42,785,936	201,495,350
46.....	10,074,768	44,935,232	156,560,118
47.....	7,825,596	47,171,494	109,398,624
48.....	5,469,931	49,530,089	59,858,555
49.....	2,993,428	52,008,572	7,861,983
50.....	893,099	7,861,983	.....

## ATTORNEY GENERAL DAUGHERTY.

The Senate resumed the consideration of Senate Resolution 157, submitted by Mr. WHEELER on February 13, as modified by him on yesterday, directing a committee to investigate the failure of the Attorney General to prosecute or defend certain criminal and civil actions wherein the Government is interested.

Mr. ROBINSON. Mr. President, during the course of my remarks this afternoon I read and discussed an article which I said emanated from the White House relative to efforts upon the part of the Government to recover section 36 in naval oil reserve No. 1. The article and the statement to which I referred indicated that the President himself initiated the movement and the proceedings to recover this property on behalf of the Government.

I call the attention of the Senate to the fact that Senate Joint Resolution 71, by Mr. WALSH of Montana, introduced in this body January 28, 1924, passed the Senate on February 7 and passed the House of Representatives on February 16, requiring or directing the Secretary of the Interior to institute proceedings for the recovery of this property and authorizing the President of the United States to employ special counsel for that purpose.

I make the statement in order that the Senate and the country may understand that the Senate really initiated the proceeding and not the Chief Executive.

Mr. McKELLAR. Mr. President, I believe we are to vote now. Before we vote, I wish to read a very short article from the Washington Times which has just been issued. The headlines are these:

M'LEAN A JUSTICE DEPARTMENT AGENT—LISTED AS DOLLAR-A-YEAR MAN—CARRIES SHIELD AND CREDENTIALS OF REGULAR OPERATOR, DISCLOSED BY PROBE.

[By Kenneth Clark, International News Service.]

Edward B. McLean, wealthy publisher and one of the central figures in the oil scandal, is a duly accredited agent of the Department of Justice, it was learned officially to-day.

McLean, whose secret telegrams have been under scrutiny by the Senate investigating committee for 10 days, is known as "a dollar-a-year man," it was revealed to-day. He possesses a shield and an operative's credentials.

Mr. President, the junior Senator from Ohio [Mr. FESS] spoke this morning in very harsh terms of his colleagues in the Senate. It seems to me the fact that has just come to light in these hearings in regard to Mr. McLean, whose record has been of such an unsavory kind in this whole transaction, ought to be sufficient to convince even the junior Senator from Ohio that this resolution ought to pass, and that all of the Attorney General's acts should be carefully and fairly investigated.

Mr. President, one other word and I am through.

I regret that the junior Senator from Ohio, with whom I served in the House and for a short time in this body, took the course that he took this morning. I regretted to find that in order to defend conduct of the kind of which the Attorney General has been guilty, even that which he admits to be true, the Senator was willing to condemn all of his associates in the Senate, and to denounce their conduct as shameful and disgraceful.

Mr. President, it seems to me that characterizations by the junior Senator from Ohio of the conduct of his colleagues in this body during the short time he has been a Member of it are very unfair and very unjust. I could hardly believe my ears when I heard these characterizations indulged in by the junior Senator from Ohio. I hope that upon reflection, at some subsequent time, the junior Senator from Ohio will apologize to his colleagues in the Senate for the statements that he has made about them. In my humble judgment his criticism was wholly unwarranted, and it seems to me it should be apparent to him, because, so far as I have heard, he and his colleague from Ohio [Mr. WILLIS] are the only persons who have defended the Attorney General; and the distinguished senior Senator from Ohio [Mr. WILLIS] has not seen fit to bring a blanket indictment against his colleagues because they differed with him. It seems to me that if I were in such a hopeless minority I would not undertake to characterize as shameful and disgraceful the conduct of my colleagues.

Mr. WILLIS. Mr. President, I request the attention of the junior Senator from Montana [Mr. WHEELER]. I desire to offer an amendment to the resolution.

In line 5 of page 2, after the word "the," I move to insert the word "alleged," so that it will read "the alleged failure," and so forth. I understand that is not objectionable to the Senator from Montana.

Mr. WHEELER. I have no objection to the amendment.

The PRESIDING OFFICER. The Senator from Ohio offers an amendment, which will be stated.

The READING CLERK. On page 2, line 5, before the word "failure," it is proposed to insert the word "alleged," so that it will read "concerning the alleged failure," and so forth.

Mr. CURTIS. Mr. President, I had intended to offer a similar amendment, not only at that point but at others; but I think the amendment offered by the Senator from Ohio will cover the matter, and I hope it will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WILLIS. Now I desire to offer another amendment. In line 9, before the word "neglect," I move to insert the word "alleged," so that it will read "the alleged neglect," and so forth.

The PRESIDING OFFICER. The Senator from Ohio offers an amendment, which will be stated.

The READING CLERK. On page 2, line 9, before the word "neglect," it is proposed to insert the word "alleged," so that it will read "the alleged neglect and failure," and so forth.

The amendment was agreed to.

Mr. WILLIS. On line 2, page 3, I offer a similar amendment. I move to insert, before the word "neglect," the word "alleged."

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 3, line 2, before the word "neglect," it is proposed to insert the word "alleged," so that it will read, "as well as the alleged neglect and failure of the said Attorney General."

The amendment was agreed to.

Mr. WILLIS. On page 3, in line 4, before the word "failure," I offer a similar amendment. I move to insert the word "alleged," so that it will read "his alleged failure."

The PRESIDING OFFICER. The Senator from Ohio offers an amendment, which will be stated.

The READING CLERK. On page 3, line 4, before the word "failure," it is proposed to insert the word "alleged," so that it will read "and his alleged failure to prosecute," and so forth. The amendment was agreed to.

Mr. WILLIS. Mr. President, I ask unanimous consent at this point to insert in the Record three brief editorials which I have gone over carefully, and which I can assure the Senate contain no reflection upon any Member of the Senate but do relate to the matter of this resolution.

The PRESIDING OFFICER. Without objection, the material may be inserted.

The matter referred to is as follows:

[From the Herald-Examiner of February 23, 1924.]

(By Arthur Brisbane.)

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The fight between Attorney General Daugherty and the crowd trying to drive him out of office will be worth watching. The Attorney General is a fighter. His enemies include some able men.

One question is: Who are the men behind those that are trying to get rid of Mr. Daugherty?

The charges made against him are vague. That he had nothing to do with the Teapot Dome case everybody knows. Both Mr. Fall and Mr. Denby testified that the Attorney General was not consulted. Nobody asked his opinion. His duty and powers in the administration are limited to giving legal opinions when asked for them.

It is no part of his business to tell Cabinet officers that they are breaking the law, whatever his own opinion may be, unless the President or a Cabinet member asks for advice.

Some of Mr. Daugherty's enemies, that have real cause for wishing him out of office, keep very quiet in these proceedings. They include men that Daugherty accused of selling to themselves or to friends, for a nominal, dishonest price, property which they held as public trustees.

Mr. Daugherty brought legal proceedings against a collection of war profiteers and grafters and talked plainly about them. Some powerful men are included among those that have good reason to hate him.

The public will withhold its opinion concerning Mr. Daugherty until it knows whether he is being attacked in the interest of the public or in the interest of war grafters whom he attacked and exposed.

[From the Cincinnati Times-Star of February 9, 1924.]

WITHOUT BENEFIT OF JURY.

Legislative impeachments are a historical part of the development of representative institutions. Legislative investigations, such as the oil inquiry at Washington, have quite another origin. When Indian war parties captured a prisoner and felt that the encampment deserved or desired entertainment, they bound him to a stake with a fire at

his feet; the squaws did the rest. Lighted splinters were thrust into his body, the village danced around him, and he was slowly burned and whittled to death. The blood lust was sated, and, with one exception, a good time was had by all.

In form, and often in fact, a search for the truth, an American legislative inquiry resembles the Indian stake dance in that the person under examination is deprived of his rights as a man and subjected to torture for purposes of popular entertainment.

An American citizen is supposed to be entitled to his day in court and to representation by counsel there; and there is something in the Constitution about an impartial trial by a jury of his peers. He loses all these guaranties when he goes before a legislative inquiry, because in form it is not a trial at law. He has no right to counsel; only by grace can his lawyer be present, and if the latter's presence be permitted his power to help his client is so circumscribed that it may become nothing at all. What the accused says is under oath with a perjury penalty. But any Senator may call him a thief and scoundrel or make any false statement about him without taking oath or being held accountable therefor. \* \* \* Private or partisan rancor has opportunities to wreak itself in slander beyond anything available to Venetian spies when they dropped their accusations in the Lion's mouth.

The vice of such investigations is that while purporting to be inquiries merely, in fact they are trials, and trials that end as trials are bound to do when an accused person is not allowed to defend himself. The punishment is publicity, and sometimes it is heavier than a jail sentence. Innocent and guilty pass through the furnace together, and the casual malice of a single senatorial inquisitor will make them look so like that the public will not see the difference for three or four years afterwards, or will not see it at all. "That man was somehow mixed up in the oil investigation" is the label that a number of Americans, of both parties, some of them of far higher character than their official inquisitors, will wear the rest of their lives, simply because it has become a habit here to let mere committees of the National Legislature override personal rights that kings have been beheaded for ignoring.

Through a period of years we have followed the history of such investigations and have noted the betrayal of basic rights, the denial of constitutional guaranties, the conscienceless gratification of partisan necessities and personal grudges. We have appraised both the incidental good they do and the evil they intend and achieve. Our conclusion is found in Magna Charta, the Bill of Rights, the Constitution, and other still respectable sources—that the place to try a man is before a jury in a court room and nowhere else.

[From the Akron Beacon-Journal of February 26, 1924.]

#### GIVE DAUGHERTY A FAIR TRIAL.

No one in Ohio has less reason to love Harry M. Daugherty politically than ourselves. Our ways have been separate, our ideals different, our objects not the same, but notwithstanding this fact we do not hesitate to say that he is being most unjustly treated. Nothing has been proved against him. Not a charge that he could answer has been brought forth, except those disposed of by Congress when it voted almost unanimously that there was nothing substantial in the Kellar impeachment proceedings. Beyond this it is only rumor, inference, and gossip which may have behind them damaging truth or which may be false as hell. And yet a mighty hue and cry is raised even by good and sensible men that he should flee from the Cabinet and thereby confess his guilt. It is true they do not express it that way. They say it would relieve President Coolidge of embarrassment.

If Daugherty is guilty of violating the law or even compromising the great office he holds, Coolidge can duly be relieved of embarrassment by having that fact proved and Daugherty driven in disgrace from the high office he holds. It could not relieve the President of anything except his self-respect to crucify an innocent man upon the political crosses that are now being set up. If Daugherty is guilty he should not be spared, but he should not be lynched in advance of the establishment of his guilt by mob or any other kind of clamor. The thing has gone too far now to stop. The truth at the back of it should be fully established. But until that is done no one should demand that he should take a step which the whole world would say never would have been taken had he been innocent. To assassinate the body is a frightful crime, but to insist that he shall voluntarily perform an act which would destroy his whole future in order to satisfy clamor that is so far backed by no evidence is going entirely too far.

We repeat that if he is guilty he should not be allowed to escape the full consequences of that guilt. No question should be left about it even though it destroys good Democratic campaign material. It should be proved or disproved and until then, unless we have lost the spirit of fair play in this country, let us suspend judgment. In this we believe we express the sound opinion of the country, and

we are doing it notwithstanding the fact that no love on political questions and methods between Mr. Daugherty and ourselves has ever been or is ever likely to be lost.

The PRESIDING OFFICER. The question is on agreeing to the resolution as modified and amended.

Mr. EDGE. Mr. President, a parliamentary inquiry. Do I understand that the preamble has been stricken out?

The PRESIDING OFFICER. Action on the preamble will come after the vote on the body of the resolution.

Mr. CURTIS. Mr. President, I think it should be understood that we have an agreement that the preamble will be stricken out.

Mr. EDGE. The question now is on the resolution by itself?

The PRESIDING OFFICER. It is.

Mr. McKELLAR. I call for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. COUZENS. Mr. President, may we have the resolution read?

The PRESIDING OFFICER. The Secretary will read the resolution as it now stands.

The READING CLERK. The resolution, as modified and amended, reads as follows:

*Resolved*, That a committee of five Senators, consisting of three members of the majority and two of the minority, be authorized and directed to investigate circumstances and facts, and report the same to the Senate, concerning the alleged failure of Harry M. Daugherty, Attorney General of the United States, to prosecute properly violators of the Sherman Antitrust Act and the Clayton Act against monopolies and unlawful restraint of trade; the alleged neglect and failure of the said Harry M. Daugherty, Attorney General of the United States, to arrest and prosecute Albert B. Fall, Harry F. Sinclair, E. L. Doheny, C. R. Forbes, and their coconspirators in defrauding the Government, as well as the alleged neglect and failure of the said Attorney General to arrest and prosecute many others for violations of Federal statutes, and his alleged failure to prosecute properly, efficiently, and promptly, and defend all manner of civil and criminal actions wherein the Government of the United States is interested as a party plaintiff or defendant. And said committee is further directed to inquire into, investigate, and report to the Senate the activities of the said Harry M. Daugherty, Attorney General, and any of his assistants in the Department of Justice which would in any manner tend to impair their efficiency or influence as representatives of the Government of the United States.

That said committee above referred to and the chairman thereof shall be elected by the Senate of the United States.

*Resolved further*, That in pursuance of the purposes of this resolution said committee or any member thereof be, and hereby is, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ stenographic assistance at a cost not to exceed 25 cents per hundred words, to report such hearings as may be had in connection herewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The PRESIDING OFFICER. The question is now upon agreeing to the resolution as amended. The yeas and nays have been ordered, and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. MOSES], and not being able to secure a transfer, will withhold my vote. If permitted to vote, I would vote "yea."

Mr. CURTIS (when Mr. CAPPER's name was called). I desire to announce the unavoidable absence of my colleague [Mr. CAPPER]. If present, he would vote "yea."

Mr. EDGE (when his name was called). I have a pair with the junior Senator from New Jersey [Mr. EDWARDS]. I understand that if he were present he would vote as I shall vote, and therefore I am at liberty to vote. I vote "yea."

Mr. JONES of New Mexico (when his name was called). I transfer my general pair with the Senator from Maine [Mr. FERNALD] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. KING (when his name was called). I have a general pair for the day with the senior Senator from New York [Mr. WADSWORTH]. I am not advised as to what the attitude of my pair would be upon this resolution, and therefore I withhold my vote. If I were permitted to vote, I should vote "yea."

Mr. SIMMONS (when Mr. OVERMAN's name was called). My colleague [Mr. OVERMAN] is absent on account of illness. If he were present, he would vote "yea." He is paired, however, with the senior Senator from Wyoming [Mr. WARREN].

Mr. McKELLAR (when Mr. SHIELDS's name was called). I desire to announce that my colleague [Mr. SHIELDS] is unavoidably absent from the Senate to-day.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Oklahoma [Mr. HARRELD], who is absent. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. STEPHENS (when his name was called). I have a pair with the junior Senator from Missouri [Mr. SPENCER]. In his absence, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, I transfer that pair to the junior Senator from New York [Mr. COPELAND] and vote "yea."

Mr. GERRY (when Mr. UNDERWOOD's name was called). The senior Senator from Alabama [Mr. UNDERWOOD] is paired with the senior Senator from Massachusetts [Mr. LODGE]. He is unavoidably absent on account of sickness. If present, he would vote "yea."

I also desire to announce that the senior Senator from Nevada [Mr. PITTMAN] is unavoidably absent. Also that the junior Senator from Maryland [Mr. BRUCE] is necessarily absent.

Mr. WALSH of Massachusetts (when his name was called). I have a general pair for the day with the senior Senator from Indiana [Mr. WATSON]. If present, the Senator from Indiana states that he would vote as I intend to vote, and therefore being free to vote, I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. He is absent, and I therefore withhold my vote.

The roll call was concluded.

Mr. SWANSON. I desire to state that my colleague [Mr. GLASS] is paired with the senior Senator from Connecticut [Mr. McLEAN]. He is unavoidably detained from the Senate.

Mr. SMITH. I have a general pair with the senior Senator from South Dakota [Mr. STERLING]. I have been informed that if he were present he would vote as I shall vote. Therefore I vote "yea."

Mr. BAYARD (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. When my name was called I thought he was present. I find, however, that he is absent. I now transfer my pair to the junior Senator from Maryland [Mr. BRUCE] and allow my vote to stand.

Mr. DIAL. I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "yea."

Mr. CURTIS. It is my understanding that the senior Senator from Pennsylvania [Mr. PEPPER] would vote "yea" if present. He is necessarily absent.

The result was announced—yeas 66, nays 1, as follows:

#### YEAS—66.

Adams	Ernst	Kendrick	Sheppard
Ashurst	Ferris	Keyes	Slipstead
Ball	Fess	Ladd	Shortridge
Bayard	Fletcher	La Follette	Simmons
Borah	Frazier	Lenroot	Smith
Brandeggee	George	McKellar	Smoot
Brookhart	Gerry	McKinley	Stanfield
Bursum	Gooding	McLean	Stanley
Cameron	Haile	McNary	Swanson
Caraway	Harris	Mayfield	Trammell
Couzens	Harrison	Neely	Walsh, Mass.
Cummins	Heflin	Norbeck	Walsh, Mont.
Curtis	Howell	Norris	Weller
Dale	Johnson, Calif.	Oddie	Wheeler
Dial	Johnson, Minn.	Ralston	Willis
Dill	Jones, N. Mex.	Ransdell	
Edge	Jones, Wash.	Robinson	

#### NAYS—1.

Elkins.

#### NOT VOTING—29.

Broussard	Greene	Pepper	Sterling
Bruce	Harreld	Phipps	Underwood
Capper	King	Pittman	Wadsworth
Colt	Lodge	Reed, Mo.	Warren
Copeland	McCormick	Reed, Pa.	Watson
Edwards	Moses	Shields	
Fernald	Overman	Spencer	
Glass	Owen	Stephens	

So Mr. WHEELER's resolution as amended was agreed to.

Mr. LA FOLLETTE obtained the floor.

Mr. CURTIS. Will the Senator yield? We have not disposed of the preamble.

Mr. LA FOLLETTE. I yield for that purpose.

Mr. CURTIS. I understand that the preamble is to be withdrawn.

Mr. ROBINSON. That was the understanding. It may be stricken out.

The PRESIDENT pro tempore. The Senator from Montana [Mr. WHEELER] asks leave to withdraw the preamble of the resolution. Is there objection?

Mr. FLETCHER. I take it that the language introducing the resolution will have to be modified to some extent. It should begin merely with the word "Resolved."

The PRESIDENT pro tempore. That is the case. The Chair hears no objection, and the preamble to the resolution is withdrawn.

Mr. LA FOLLETTE. Mr. President, pursuant to the provisions of this resolution, I nominate as a member of the special committee for which the resolution makes provision, and as chairman of that committee, the junior Senator from Iowa [Mr. BROOKHART].

In so designating him as chairman of that committee, I desire merely to say that it is in conformity with the precedents of the Senate. I had expected to speak upon this resolution and would have done so had not the Senator from Massachusetts withdrawn his proposed amendment. I take this opportunity to say that besides being in strict conformity with the rules of the Senate, it is no innovation in the practice of this body that both standing committees and special committees shall be elected by the Senate and not appointed by the Presiding Officer.

From my study of the question, I am unable to find that it has ever been taken as a reflection upon the Vice President, the President pro tempore, or any Senator who might chance to be the Presiding Officer of the Senate at the time such proposition was submitted.

Mr. President, although it is not so pertinent now as it would have been with the amendment proposed by the Senator from Massachusetts pending, I beg just in a word to direct the attention of Senators to the fact that this investigation is the investigation by the Senate. Who, therefore, should select the investigators other than the Senate?

I have gathered together many of the precedents of the Senate providing for the election by the Senate of special committees, some of them naming the special committees in the resolution and some of them providing for the election by the Senate and leaving, as does this resolution in its modified form, the Senators to make nominations after it shall have been passed, just as we are proposing to do now. I say this because I am unwilling to let the record stand where it stood in conformity with the declaration of the senior Senator from Massachusetts, that it was a violation of precedent. It is nothing of the kind.

There has grown in the Senate, in conformity with the growth of machine manipulation of politics, the practice of attempting to control the selection of committees either through having them named by the presiding officer or by taking the business of the Senate into caucuses, in violation, I believe, of the Constitution. They transact the business there and then bring it in here and attempt to put it through, thus making the selection of committees, which are to control the business of the Senate, the office of caucuses held in secret, instead of choosing on the floor of the Senate, in the light of the public eye, the important bodies that control really the legislation of Congress. I hope, sir, that the time will come when all committees will be chosen in the Senate and not arranged for in secret conferences and caucuses.

I lay it down as a great fundamental principle of government that "no power ought to be delegated which can be fairly exercised by the constituent body."

Sir, I believe the time is near at hand when we will change the present practice of naming regular or standing committees of the Senate.

It is un-American; it is undemocratic. It has grown into an abuse. It typifies all of the most harmful practices which have led an enlightened and aroused public judgment to decree the destruction of the caucus, convention, and delegate system of party nominations.

Under the present system of choosing the standing committees of the United States Senate, a party caucus is called. A chairman is authorized to appoint a committee on committees. The caucus adjourns. The committee on committees is thereafter appointed by the chairman of the caucus. It proceeds to determine the committee assignments of Senators. This places the selection of the membership of the standing committees completely in the hands of a majority of the committee on committees, because in practice the caucus ratifies the action of the committee and the Senate ratifies the action of the caucus.

See now what has happened. The people have delegated us to represent them in the Senate. The Senate, in effect, has delegated its authority to party caucuses upon either side.

The party caucus delegates its authority to a chairman to select a committee on committees. The committee on committees largely defer to the chairman of the committee on committees in the final decision as to committee assignments.

The standing committees of the Senate so selected, Mr. President, determine the fate of all bills; they report, shape, or suppress legislation practically at will.

Hence the control of legislation, speaking in a broad sense, has been delegated and redelegated until responsibility to the public has been so weakened that the public can scarcely be said to be represented at all.

Mr. President, I believe the day is near at hand when Members of this body will refuse to permit the secret senatorial caucus to exercise any controlling action upon the public business.

Mr. ROBINSON. May I suggest to the Senator from Wisconsin that he put in the Record the precedents to which he has referred?

Mr. LA FOLLETTE. Yes; I shall do so.

One of the earliest precedents I came across in my examination of the subject arose on the 3d of March, 1803. At that time the Senate elected a select committee to consider the impeachment of Judge Pickering. This fact was cited by Senator Tazewell when the impeachment of Judge James H. Peck came up, April 26, 1830. The debates in Congress of April 26, 1830 (vol. 6, pt. 1, p. 384), read:

Mr. Tazewell then read from the Senate Journal as follows:

"In the Senate of the United States, March 3, 1803.

"On motion,

"Ordered, That the message received this day from the House of Representatives respecting the impeachment of John Pickering, judge of a district court, be referred to Messrs. Tracy, Clinton, and Nicholas, to consider and report thereon."

Report of the proceedings of the Senate at that time were not as now a chronicle of every statement made on the floor of the Senate, but a summation of what occurred.

In the Congressional Globe, Twenty-fourth Congress, first session, December 22, 1835, page 24, I find the following:

The Senate proceeded to ballot for a select committee to consider the President's message relative to the northern boundary of the State of Ohio and the application of the State of Michigan for admission into the Union, and Messrs. Benton, Wright, Clayton, Crittenden, and Preston were chosen.

On page 514 of the same volume, following debate regarding the deposit of public moneys on May 31, 1836, I quote as follows:

On motion of Mr. Calhoun, the whole subject was referred to a select committee of nine members, which, on balloting, was found to consist of Wright, Calhoun, Webster, King of Alabama, Buchanan, Hendricks, Shepley, Leigh, and Ewing of Ohio.

In the first session of the Thirty-second Congress a contest arose over the seat of the Senator from Florida, Hon. Stephen R. Mallory. Immediately upon the presentation of his credentials by Senator Morton question was raised as to his right to a seat. It was moved—and now I quote from the Globe—

that the credentials of the Senator elect, together with the extract from the journal of the Florida Legislature, be referred to a select committee of five.

The motion was agreed to.

On motion of Mr. Gwin, the election of the special committee was postponed until 1 o'clock to-morrow.

#### SPECIAL ELECTION COMMITTEE.

(From p. 11.)

The hour of 1 o'clock having arrived, the Senate proceeded to ballot for a special committee agreed to be appointed yesterday to consider and report on the Florida contested-election case.

The President announced that the Secretary had furnished him with the following result of the balloting: Mr. Berrien received 21 votes, Mr. Bright 21, Mr. Davis 21, Mr. Mason 17, and Mr. Pearce 12. These five gentlemen having received the highest votes, they were duly elected the special committee.

Mr. BERRIEN. I would inquire what was the whole number of Senators voting?

The PRESIDENT. The Chair can not tell. It is not usual to require a majority of the whole number to elect members of a select committee. They are elected by plurality.

Mr. BERRIEN. I was under the impression that it required a majority to constitute any act of the Senate. My impression is that we have several times balloted repeatedly for members of committees.

The PRESIDENT. The majority rule applies to standing committees.

The PRESIDENT. The rule on the subject, after speaking of the standing committees, says:

"All other committees shall be appointed by ballot, and a plurality of votes shall make a choice."

The Senate having under consideration the assault upon Mr. Sumner, the CONGRESSIONAL GLOBE of May 22, 1856, contains the following:

Mr. MASON. I move to amend the resolution in such a manner as to provide that the committee shall be elected by the Senate.

Mr. SEWARD. I accept the amendment.

The PRESIDENT. The resolution will be read as proposed to be amended.

The Secretary read it, as follows:

"Resolved, That a committee of five Members be elected by the Senate to inquire into the circumstances attending the assault committed on the person of the Hon. Charles Sumner, a Member of the Senate, in the Senate Chamber yesterday; and that the said committee be instructed to report a statement of the facts, together with their opinion thereon, to the Senate."

The PRESIDENT. The question is on the resolution as amended.

The resolution was agreed to.

That was not regarded as a reflection upon the Vice President or the President pro tempore.

#### APPOINTMENT OF A SPECIAL COMMITTEE ON RETRENCHMENT.

On December 13, 1871, Mr. Anthony, of Rhode Island:

I offer the following resolution and ask for its consideration:

"Resolved, That a standing committee of seven, to be known as the Committee of Investigation and Retrenchment, be created to investigate and report on such subjects as may be committed to it by the Senate; such committee to be elected by the Senate as other standing committees."

By unanimous consent the Senate proceeded to consider the resolution.

This resolution was debated at length, the discussion extending over several pages of the CONGRESSIONAL RECORD and taking up the entire session. It was also debated through two or three other sessions of the Senate; and thereafter, on December 18, Mr. Anthony, of Rhode Island, perfecting the resolutions which he had submitted, added thereto the following:

"Resolved, That the Committee of Investigation and Retrenchment consist of Mr. Buckingham (chairman)."

There was a Member on the floor of this Senate assuming to nominate the members of that committee—

to consist of Mr. Buckingham (chairman), Mr. Pratt, Mr. Howe, Mr. Harlan, Mr. Stewart, Mr. Pool, and Mr. Bayard.

The name of Mr. Casserly was later added as a member of the proposed committee.

The debate upon the resolution as perfected by Mr. Anthony proceeded throughout the session of December 18. The resolution was further amended by providing "that the said committee be authorized to send for persons and papers and report by bill or otherwise, and also to appoint a clerk."

While that was called a standing committee, all the debate shows plainly that it was a committee that was chosen upon the nomination of a Senator and with a view to searching the records of the departments of the opposition party. It was in character just like a special committee, although it was called a standing committee.

During the debate question was raised as to whether the resolution named the Senators who had been advocates of the Committee on Investigation and Retrenchment, and it was argued at some length that the committee should be composed of the Senators who had been most favorable to the forming of such committee.

Shortly before the adoption of the resolution the following proceedings occurred:

The PRESIDING OFFICER. The question recurs on adopting the amendment as amended.

Mr. VICKERS. I offer this amendment: To strike out the names in the original resolution, namely, "Mr. Buckingham (chairman), Mr. Pratt, Mr. Howe, Mr. Harlan, Mr. Stewart, Mr. Pool, Mr. Bayard, and Mr. Casserly," and in lieu thereof to insert "Lyman Trumbull (chairman), Charles Sumner, Eugene Casserly, Thomas F. Bayard, Henry B. Anthony, Roscoe Conkling, Oliver P. Morton, and T. W. Tipton."

Mr. EDMUNDS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The question being taken by yeas and nays, resulted—yeas 12, nays 27, absent 32.

So the amendment to the amendment was rejected.

The question upon the final passage of the resolution creating the special committee and naming the members of the committee in the resolution being taken by yeas and nays, resulted—yeas 48, nays 1.

Mr. CURTIS. Mr. President, I nominate for membership on the committee the Senator from Washington [Mr. JONES] and the Senator from New Hampshire [Mr. MOSES].

Mr. ROBINSON. Mr. President, I nominate for membership on the committee the Senator from Montana [Mr. WHEELER] and the Senator from Arizona [Mr. ASHURST].

The PRESIDENT pro tempore. The question is upon the election of the junior Senator from Iowa [Mr. BROOKHART] as chairman of the committee authorized by the Senate. [Putting the question:] The ayes have it.

Mr. McKELLAR. Let us have the yeas and nays.

Mr. ELKINS. I call for the yeas and nays.

The PRESIDENT pro tempore. The Chair is of the opinion that the ayes have it unless there be a roll call demanded. The ayes have it, and Mr. BROOKHART, the junior Senator from Iowa, is elected as chairman of the committee.

Mr. McKELLAR. I asked for a roll call. I do not know how many hands went up.

Mr. ELKINS. I also asked for a roll call.

Mr. CURTIS. I make the point of order that the result has been announced and that there were not a sufficient number held up their hands.

Mr. ELKINS. I did not hear any request to hold up hands. I asked for a roll call.

The PRESIDENT pro tempore. The demand for the yeas and nays was not sufficiently seconded. The Chair announces again the ruling that the ayes have it, and Mr. BROOKHART is elected chairman of the committee.

The question now is upon the selection of the four remaining members of the committee, which, as the Chair understands the rule, may be selected en bloc. They are Mr. JONES, of Washington; Mr. MOSES, of New Hampshire; Mr. WHEELER, of Montana; and Mr. ASHURST, of Arizona. The question is upon the election of these Senators as members of the committee. As many as favor their election will say "aye"; opposed, "no." The ayes have it, and the Senators named are elected members of the committee.

Mr. WALSH of Montana. I ask unanimous consent that there may be printed in the RECORD an article appearing in the New York World of this morning which makes a substantially accurate statement concerning some startling testimony introduced before the Committee on Public Lands and Surveys on yesterday.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The article referred to is as follows:

THE WORLD GIVES TRANSLATED MESSAGES TO COMMITTEE—PUBLISHER REVEALED AS "SECRET AGENT."

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The World prints herewith the contents of the four most important of the code messages sent to Edward B. McLean in Palm Beach by his Washington agents during the disturbing opening days of the Teapot Dome investigation. These were among the messages made public in Washington Thursday by the Public Lands Committee of the Senate as being "entirely unintelligible."

As there is reason to believe the code which concealed the import of the messages is one used by agents of the Department of Justice, the World communicated their texts immediately to the Senate committee.

This was the committee's first clue to the real meaning of the mysterious communications. Literal translations were forwarded to the committee by mail late last night.

Department of Justice codes are limited by law strictly to working agents and for the transmission of official business. One of the first steps of the committee, it is now understood, will be to ascertain how such a code got into the possession of McLean and his confidants. Senate investigation also will show whether, as indicated, the code was used with the knowledge of high officials in the department under Attorney General Daugherty.

BURNS REVEALED AS McLEAN INFORMANT.

One of the messages to McLean reveals William J. Burns, Director of the Bureau of Investigation of the Department of Justice, as an active informant of McLean on developments in the Teapot Dome inquiry, and is the first direct link, except for one message from E. S. Rochester, between the department and any of the principals in the oil-lease scandal.

Another message of first importance advises McLean that certain "papers" have been placed in a safe-deposit box in the Commercial Bank in Washington, held jointly by him and George B. Fraser, his financial secretary. It now will be the business of the Senate committee to ascertain what these papers are and where they are at the present time.

When put together the Washington-Palm Beach series shows an effective "grapevine" of advance information to McLean, the important links in the chain of tip offs including the Department of Justice; Col. J. W. Zevely, attorney for Harry F. Sinclair and also confidential legal adviser to ex-Secretary Fall; Wilton J. Lambert, attorney for McLean; William O. Duckstein, a confidential employee of McLean in the offices of the Washington Post; and Miss Mary Quigley, chief telephone operator at the office of the Washington Post; in addition to Fraser, financial secretary to McLean.

Miss Quigley, already disclosed before the committee as an alert friend of her employer, is shown by to-day's translations to be one of the most important of the group. It was she who telegraphed Duckstein in Palm Beach that Burns had sent for her and told her to inform McLean that an investigation by Department of Justice agents was under way and that Burns believed "this information is important."

DUCKSTEIN'S WIFE IN FEDERAL EMPLOY.

Another link, not appearing on the surface of the messages, but important, is the reported fact that Duckstein's wife is or was a confidential stenographer in the Bureau of Investigation.

That there may be no clue to the form of the code in which the messages were written the World offers, not a translation, but paraphrases of their contents. These are as follows:

"JANUARY 9, 1924.

"EDWARD McLEAN, Palm Beach:

"Jaguar baptistical stowage beadle 1235 Huff Pulsator commensal fitful Lambert conation fecund-hybridize.

"WOD."

(Paraphrase.)

"Walsh will take 12.35 Atlantic Coast Line to-night and not Seaboard Air Line. Lambert will accompany him.

"WILLIAM O. DUCKSTEIN."

"JANUARY 9, 1924.

"EDWARD McLEAN, Palm Beach:

"Zev hocusing imagery commensal abad opaque hosier lectionary. Clot prattle lamb jaguar roved timepiece nudity. Hocusing lectionary chinchilla peternet bedraggled rip rale overshadow quake. Zev pentecost swine herd lamb lambert eulogies lodgment reveling hosier encapsulates ketose bombardment romancer commensal ketose lambert konite reeve lectionary Jaguar baptistical fitful huff. Waxwork pairless cascade wippen.

"WOD."

(Paraphrase.)

"Zevely believes investigation is progressing entirely in your favor. He doesn't think much of Walsh as a cross-examiner. He thinks you needn't worry about approaching examination. Zevely went over with Lambert questions that will probably be asked you, and Lambert will advise you regarding answers. Walsh due 8 o'clock Friday morning.

"WILLIAM O. DUCKSTEIN."

PAPERS PUT IN SAFE-DEPOSIT BOX.

"JANUARY 11, 1924.

"EDWARD McLEAN, Palm Beach:

"Cravingly in dxewoux resurge ledgment allment fastidious tuck skewered suckled scrag emerge vethousl punctators gob. Virgin lectionary jangler highlander kelder hobgoblin roguery sawbuck hosier bonka gob saline dismounted renominated torso.

"W. O. D."

(Paraphrase.)

"According to Lambert's instructions, the papers have been put in the safe-deposit box belonging to you and Fraser in the Commercial Bank. Would you like to have them where they will be available to me? I will be all day at the office of the Post.

"WILLIAM O. DUCKSTEIN."

"Mr. W. O. DUCKSTEIN, Palm Beach:

"Haxpw sent overbuy bonka and householder bonka sultry tkvonop prozoics bepelt goal hocusing this pouted proponent.

"MARY."

(Paraphrase.)

"Sent for by Burns, who told me to say McLean investigation is under way by special agents of Justice Department. He believes information is important.

"MARY."

(Quigley, chief telephone operator in office of Washington Post.)

Arrival this morning in Washington of the exact translations of the code messages, and their examination by the Public Lands Committee

will probably have an important effect on the question of the continuance of Harry M. Daugherty in President Coolidge's Cabinet. The intimate connection now shown to exist between the Attorney General's department and McLean during the Teapot Dome inquiry will increase the growing demand for his resignation, and, failing that, his forced retirement. The Burns message alone, it is thought, will prove a sufficient ground.

One defense likely to be offered by the department officials, it was reported last night, is that McLean has been for some time a secret agent, though for what purpose has never been disclosed. He wears an agent's badge under his coat, according to report, and has the regular credentials. But even this, it is pointed out, would not justify the use of a department code for private messages, nor would it account for the code being in the hands of Duckstein and Miss Quigley.

Another aspect of the situation which probably will figure in the further investigation of these messages is the fact that the Burns-Quigley message apparently disclosed the fact that an investigation had been started by the department.

One authority on Federal law informed the World last night that the disclosure of any official secret of this nature furnished grounds for a prosecution on a charge of conspiracy. All parties taking part in the disclosure of a confidential Department of Justice matter probably would be involved in the same charge, it was said.

#### AWARE OF CODE DANGER.

That the senders and receivers of the messages decoded yesterday were aware of the danger involved in the use of their code is indicated by the fact that they used it in only 4 messages thus far brought to light out of the 30 or more exchanged between the McLean camps during the course of the investigation.

The alleged Department of Justice code was dropped after January 11. A message signed "Chris," January 22, is in a different code. Then follows a series of undated messages in which the terminology of the orchard replaces the heavy phraseology of the previous code and the meanings are conveyed by references to "apples," "peaches," "apricots," and "cherries." The fruit messages have not been decoded by anyone outside the McLean circle, so far as could be learned last night.

One explanation of the sudden change in codes is found in the telegram from John Major to McLean, dated January 23, which the Senate committee made public on Thursday. This message shows that Duckstein, known as "The Duck," was under suspicion. Major telegraphed:

"After you telephoned this morning instructions to Lambert, the Duck at once telephoned his wife and, according to Mary Quigley, who listened in on the line, said: 'I have them where I want them. I will make them bow to me before I am through. I am turning over this stuff without receipt, but you know my intentions.' Mary Quigley, whom I trust with any secrets you or I may have, informs me that Mrs. Duckstein said: 'Billy, you have the right idea at last.'"

Duckstein's alleged exclamation, "I have them where I want them," may, it is pointed out, have referred to the illegal use of the code, a conclusion further borne out by another caution from Major to McLean:

"My advice to you is not to acquaint the latter party (the Duck) with our new code system. However, use your own judgment about that."

#### BURNS WAS DAUGHERTY'S CHOICE.

William J. Burns was appointed Director of the Bureau of Investigation of the United States Department of Justice by Attorney General Daugherty in 1921. He succeeded William J. Flynn, a former chief of the Secret Service.

Burns's appointment caused a protest from various quarters. Both former Attorney General Wickersham and Samuel Gompers were among those active in opposing him.

At the time of his appointment Burns was the directing head of the William J. Burns International Private Detective Agency, with a principal office in the Woolworth Building. Burns, following his appointment as head of the Department of Justice, announced he had withdrawn from his private agency and turned the business over to his sons, Raymond and Sherman.

Shortly after Burns took office he appointed Gaston B. Means as a special agent of the Government. Means had previously been employed as a private detective in the Burns Agency. Gaston B. Means was under investigation by the United States Military Intelligence for pro-German activities during the World War. He also had been tried and acquitted on the charge of murder of Mrs. Maud King, in Concord, N. C., in 1918. Means, according to Burns, was dismissed from the Government's pay roll following repeated protests received by Burns.

Means is now awaiting trial in Federal court here on charges of conspiracy in connection with liquor graft traffic.

Burns shortly after becoming head of the Department of Justice announced he would solve the Wall Street bomb explosion. At various intervals during that period he announced what on each occasion he termed a "positive solution," although different in each case. Before entering private detective work he was a Secret Service operative.

After leaving this position he became identified with the prosecution in the San Francisco graft inquiry. Following this he became active in running down the perpetrators of the Los Angeles Times dynamite explosion.

Burns's appointment by Daugherty was the result of a friendship formed while they were neighbors in Columbus, Ohio. The director maintains a New York home at Scarborough.

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and the Senate (at 4 o'clock and 15 minutes p. m.) adjourned until Monday, March 3, 1924, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 1 (legislative day of February 29), 1924.*

#### PUBLIC HEALTH SERVICE.

Hugh S. Cumming to be Surgeon General.  
Gregory J. Van Beeck to be assistant surgeon.  
Frank J. Halpin to be assistant surgeon.  
Russell R. Tomlin to be passed assistant surgeon.

#### POSTMASTERS.

##### ALABAMA.

Ora B. Wann, Madison.

##### ARKANSAS.

Charles N. Ruffin, De Witt.  
Julius L. Stephenson, Everton.  
Ralph F. Locke, Lockesburg.  
John W. Seaton, Luxora.  
William E. Hill, Norphlet.  
Warren P. Downing, Weiner.

##### COLORADO.

Bessie Salabar, Bayfield.  
Alice A. Blazer, Elizabeth.  
Ben H. Glaze, Fowler.  
Paul C. Boyles, Gunnison.  
Nettie Elliott, Loma.  
John R. Munro, Rifle.

##### CONNECTICUT.

Marshall Emmons, East Haddam.  
Harry K. Taylor, Hartford.  
Sidney M. Cowles, Kensington.

##### DELAWARE.

George W. Mitchell, Ocean View.

##### FLORIDA.

Arthur H. Fuller, Altamonte Springs.  
Mary Conway, Green Cove Springs.  
Frank Watts Hall, Labelle.

##### IDAHO.

Clarence P. Smith, Eden.  
John E. McBurney, Harrison.  
Hannah H. Bills, Kimberly.

##### ILLINOIS.

Benjamin W. Landborg, Elgin.

##### IOWA.

Lewis H. Roberts, Clinton.  
Masel F. Sawin, Oto.

##### KANSAS.

Joseph V. Barbo, Lenora.  
George J. Frank, Manhattan.  
Nora J. Casteel, Montezuma.  
Anna M. Bryan, Mullinville.

##### KENTUCKY.

Harvey H. Pherigo, Clay City.  
Lois Belcher, Greenville.  
Roy J. Blankenship, Hichins.  
Sam H. Fisher, McRoberts.  
Elizabeth A. Bradley, Van Lear.  
Fred Hall, Weeksbury.

##### MAINE.

Thomas E. Wilson, Kittery.  
Winfield L. Ames, North Haven.  
Hiram W. Ricker, jr., South Poland.  
Parker B. Stinson, Wiscasset.

## MARYLAND.

Harry E. Pyle, Aberdeen Proving Ground.  
Charles F. Peters, Western Port.

## MASSACHUSETTS.

Fred C. Small, Buzzards Bay.

## MINNESOTA.

Ida E. Marshall, Babbitt.  
Frederic E. Hamlin, Chaska.  
Charles G. Carlson, Gibbon.  
Francis S. Pollard, Morgan.  
Selma O. Hoff, St. Hilaire.  
Alfred Gronner, Underwood.

## NEW YORK.

Medose J. Robert, Au Sable Forks.  
Elmer C. Wyman, Dover Plains.  
Rose H. Munsey, Dryden.

## OHIO.

Arthur L. Van Osdall, Ashland.  
Edward M. Barber, Ashley.  
Charles E. Kniesly, Bradford.  
Elizabeth A. Krizer, Bremen.  
Andrew L. Brunson, Degraff.  
Elizabeth I. Grimm, Hopedale.  
Bayard F. Thompson, Jewett.  
William H. Snodgrass, Marysville.  
Clem Couden, Morrow.  
La Bert Davie, New Lexington.  
Orlando W. Schwab, Port Washington.  
Rufus A. Borland, West Jefferson.

## OKLAHOMA.

John P. Jones, Roff.

## PENNSYLVANIA.

William A. Leroy, Canonsburg.  
Thomas Collins, Commodore.  
Joseph N. Ritchey, Falls Creek.  
Tillie Bradley, Loretto.  
Winston J. Beglin, Midland.  
Thomas J. Kennedy, Renfrew.  
Edna Bracken, Wehrum.

## TENNESSEE.

Thomas W. Williams, Lucy.

## TEXAS.

Gustav A. Wulfman, Farwell.  
Theodor Reichert, Nordheim.  
Hal Singleton, O'Donnell.  
Silas J. White, Rising Star.  
William J. Davis, Silsbee.  
Fannie Dawson, Wilson.

## WEST VIRGINIA.

Guy E. McCutcheon, Reedy.

## HOUSE OF REPRESENTATIVES.

SATURDAY, *March 1, 1924.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord of life, Thy benediction enlightens, cheers, and blesses. Thy earthly children, we therefore own Thee as our Father and our God. Cause us to keep Thy precepts and walk in the ways of Thy wisdom. We thank Thee that we share Thy rational and spiritual nature and may draw our usefulness and happiness from the great infinite source of all truth. Let us hear the inward voice that speaks in terms of peace, righteousness, and purity, and keep us this day without sin. May the dawn of the morrow come to us with the breath of God, blessing us and making us to rejoice and be glad about our happy hearthstones. Amen.

## THE JOURNAL.

The Journal of the proceedings of yesterday was read.

The SPEAKER. Without objection, the Journal will stand approved.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I should like to make an inquiry. I notice in the reading of the Journal it was stated that the gentleman from Oregon offered the following amendment to the Garner amendment. Of course, we all know what that means, but

does the Journal show amendments by the name of the individual introducing them?

The SPEAKER. The Chair thinks not. The Chair thinks the amendments are reported by their number.

Mr. GARRETT of Tennessee. Of course, so far as the Record is concerned, that is all right, but in the Journal, which is, after all, the official record of the body in any legal controversies or constructions that may arise, it occurs to me that to use the name of the individual might possibly be meaningless.

The SPEAKER. The Chair thinks the Journal clerk should make the correction according to the suggestion of the gentleman from Tennessee.

Mr. GARRETT of Tennessee. As I recall it, the amendments are set out in the Journal, I believe, under some sort of number. I am quite sure that is correct. I simply call attention to that matter.

The SPEAKER. With the correction indicated, the Journal will stand approved.

There was no objection.

## DEFICIENCY APPROPRIATION BILL.

Mr. MADDEN, chairman of the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 7449) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes, which, with the accompanying report, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNS of Tennessee reserved all points of order.

## EXPUNGING REMARKS FROM THE RECORD.

Mr. MICHAELSON. Mr. Speaker, it has been called to my attention that remarks which I made under the privilege of extension contained matter in violation of the rules of the House. It has never been my intent, and is not now, willfully to violate any rule of the House, much less so in an extension of any remarks I may have the privilege of making. If that is so, and it seems to be so, I ask unanimous consent to withdraw, revise, and reextend my remarks upon this very important subject of water diversion from Lake Michigan.

The SPEAKER. The gentleman from Illinois asks unanimous consent to withdraw, revise, and reextend remarks he made in the Record. Is there objection?

Mr. RAINEY. Mr. Speaker, reserving the right to object, may I suggest to my colleague that the first part of his remarks contains a valuable contribution to the subject and contains much valuable information, and that he withdraw that portion of his remarks to which objection has been made. The rest of it is all right and is a valuable contribution to the subject.

Mr. MICHAELSON. Mr. Speaker, I thank the gentleman for his suggestion, but I would rather proceed the other way and withdraw the entire matter and revise and reextend if I may have that privilege.

Mr. CONNALLY of Texas. Mr. Speaker, reserving the right to object, does the gentleman from Ohio withdraw his motion, which is in the Record, to strike out these remarks? This would not be in order otherwise.

Mr. LONGWORTH. I do not think the motion is pending now. I am certainly entirely satisfied with the statement of the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MICHAELSON. Mr. Speaker, in accordance with an agreement entered into by the trustees of the sanitary district of Chicago and Members of Congress representing Chicago districts, I, as the Illinois Member of the Rivers and Harbors Committee, introduced in the House on November 9, 1921, a bill (H. R. 9046) providing for the amount of water which may be withdrawn from Lake Michigan by the Sanitary District of Chicago, giving authority therefor, and fixing the conditions of such withdrawal.

This bill, because of objections raised by the War Department, failed of passage. Believing that a study by the War Department of facts and figures subsequently presented relative to the Chicago drainage question will now bring about a favorable report, I reintroduced the bill (H. R. 6873) on February 11, 1924.

This bill, when passed, will authorize by law the withdrawal of 10,000 cubic feet of water per second from Lake Michigan, an amount which is necessary to properly dilute and take care of the sewage of Chicago's 3,000,000 population, thereby pre-

venting pollution of our Lake Michigan drinking water and stamping out forever the dreaded typhoid fever. It will also make possible the construction of a 9-foot Illinois waterway from the Lakes to the Gulf.

The question of insuring pure drinking water to the people of Chicago, thereby protecting health, and the necessity of securing congressional action in the matter have been discussed for years, but no action has been obtained; and it is my purpose here to show what sinister interests and influences, in order to serve their own selfish desires for gain, power, or favor, have for years been gambling with the lives of 3,000,000 people and by publicity and the use of official power have been obstructing, delaying, and preventing congressional action having for its purpose a solution of this most serious problem.

Pure drinking water is essential to healthy human life. Ninety years ago the village of Chicago drank from wells; so did the city, until the wells became so filled with poison, which leaked through the sand from vaults and cesspools into the wells, that there was "death in the cup."

Then the water supply was dipped from the lake where its waves lapped the shore and water peddlers distributed it to the people for pay.

Then water was pumped from the lake a short distance from shore into tanks, from which it was conveyed through wooden pipes to the consumers. But it was not long before the shore waters became unfit for use, and the pipes through which the water was drawn had to be extended farther into the lake. Sewage was disposed of by discharging it into the Chicago River or directly into Lake Michigan.

As population increased so did the amount of filth which was discharged into the lake. The death rate from typhoid fever was higher than that of any other city in the country. The highest death rate was among the children and the poor people, who could not move away or afford water from any other source than the polluted waters of Lake Michigan.

Under these circumstances and for the purpose of protecting the public health the Sanitary District of Chicago was created as a public body under a State law passed by the Illinois General Assembly in 1889.

It was authorized to build a sanitary and ship canal connecting the Chicago River with the Des Plaines River and empowered to divert the sewage, which at that time polluted Lake Michigan, into the Mississippi watershed.

The State law required the sanitary district to dilute the sewage turned into the Des Plaines River on a basis of  $3\frac{1}{2}$  cubic feet of water per second for each 1,000 population. The main drainage canal, which is 32 miles long, 24 feet deep, and 160 feet wide, has a capacity of about 10,000 cubic feet per second, and was intended to care for a population of 3,000,000.

The Sanitary District of Chicago lies along the shore of Lake Michigan. About 10 miles west of the shore line, at a height of only 11 feet above Lake Michigan, is the summit between the Gulf of Mexico, 1,600 miles to the south, and the Gulf of St. Lawrence, 1,700 miles to the east. The city of Joliet, 40 miles from Lake Michigan, is 40 feet lower than Chicago. Nowhere else on the whole chain of lakes has nature provided for such a gravity flow from one watershed into another.

The main channel of the sanitary district, costing about \$30,000,000, was built prior to 1899, but the water was not turned in until 1900, as the intercepting sewers connecting the city's sewers with the Chicago River and the drainage canal had not then been completed. Since that time the Chicago and Des Plaines Rivers have been improved by the district, and other branch canals, pumping stations, intercepting sewers, and sewage-treatment plants, representing a total cost of about \$90,000,000, have been constructed.

The Chicago plan of sewage disposal by dilution and diversion from Lake Michigan, aided by the pasteurization of milk and the chlorination of water, resulted in a reduction of the typhoid death rate to the lowest point of any big city in the world. During the past year, however, with the sanitary district controlled by the Chicago Tribune, through its bipartisan combination, and the city of Chicago under Democratic rule, several hundred cases of typhoid fever, with numerous deaths, have occurred.

After the main channel had been completed, but before the water was turned in, Congress passed a law under which the War Department claims the right to limit the amount of water which may be taken from Lake Michigan for sewage dilution on the ground that the withdrawal by the district of the amount of water required under the Illinois law has reduced the levels of all the Great Lakes, except Lake Superior, by about  $5\frac{1}{2}$  inches, and is an obstruction to navigation and commerce.

Federal engineers and officials had full knowledge of the creation of the sanitary district and of the plan to reverse the flow of the Chicago River and to divert from Lake Michigan the amount of water needed to properly dilute the sewage of the district so that when discharged into the Des Plaines River it would not be offensive or injurious to the health of any of the people of Illinois.

As far as I am able to learn, no objection to this plan was made by Federal authorities at that time, and, prior to the opening of the canal in 1900, a permit for the diversion of 4,167 cubic feet of water per second—sufficient to care for a population of 1,250,000—was issued by the then Secretary of War. Since then, however, that office has consistently refused to grant permission for any greater flow, regardless of increased population, on the ground that Congress alone has authority to permit such diversion.

In the meantime the growth of population was so rapid that it became necessary, in order to protect the public health, to increase the amount of water used for dilution purposes as required by the Illinois law, but in excess of the amount authorized by the War Department permit.

The district contains about 450 square miles, including all of Chicago and about 50 other incorporated cities and villages in Cook County. It is governed by a board of nine trustees, three being elected every two years. The trustees have authority to levy annual taxes up to two-thirds of 1 per cent of the assessed valuation of all property within the district and may also issue bonds not to exceed 3 per cent of such assessed valuation.

The main diversion channel of the district was intended to care for an ultimate population of 3,000,000. We had reached that limit in 1920, to say nothing of the trade wastes which are equal to a population of at least a million and a half more—so some method of sewage disposal other than by dilution and diversion must be provided to care for the constantly growing excess in population.

To appease the rising wrath of the War Department, due to the alleged, but wholly theoretical, lowering of lake levels caused by the sanitary district's diversion at Chicago—stimulated no doubt by the demand of the water-power interests that all the waters of the Great Lakes this side of Niagara should pass over the Falls or through the turbines there, which produce immense profits for private owners of power privileges on both sides of the boundary—the trustees had on July 8, 1920, adopted an ordinance—

Offering and agreeing to defray the expense of the construction of works in one or more of the outlets of the Great Lakes to compensate for any diminishing levels of the Great Lakes due to the diversion of 10,000 cubic feet of water per second from Lake Michigan by the Sanitary District of Chicago, etc.

In accordance with this program there was secured from the 1921 session of the Illinois Legislature two important amendments of the sanitary district act, one of which, in express terms, not only authorizes but requires the building by the district of sewage purification works, supplemental to the dilution system, to care for our constantly growing population, so that no further increase in the amount of water to be diverted from Lake Michigan would be necessary.

Another amendment authorizes the district to deal directly with the Federal Government and to pay for the construction of regulating or compensating works in the outlets of the Great Lakes to restore lake levels and justify Congress in passing a law permitting the continued use of our present sewage dilution system and the diversion of the amount of water now being used for that purpose.

At the same session the legislature, by joint resolution No. 41, unanimously passed, declared the policy of the State of Illinois in favor of the continued diversion of water from Lake Michigan for purposes of sanitation and to adequately supply the Illinois waterway. The resolution further provided for a commission of 10 persons, 4 appointed by the speaker of the house, 3 by the president of the senate, and 3 by the governor, to cooperate with the trustees of the sanitary district and the Illinois delegation in Congress to secure authority for the withdrawal of 10,000 cubic feet of water from Lake Michigan for said purposes. An appropriation of \$15,000 for the expenses of this commission was also passed.

These laws were approved by Governor Small and became effective July 1, 1921.

In the meantime the attorney general of Wisconsin had, after several fruitless efforts, induced the legislature of that State to authorize him to file suit in the Supreme Court to restrain the State of Illinois and the Sanitary District of Chicago from

diverting any water from Lake Michigan on the ground that such withdrawal lowers the lake levels, injures the ports and harbors of Wisconsin on Lake Michigan, and obstructs commerce and navigation.

The Wisconsin attorney general agreed to withhold suit until the trustees of the sanitary district had been given a fair chance to lay their plans before Congress. The suit of Wisconsin *v.* Illinois and the Sanitary District of Chicago was not filed until the October, 1922, term of the Supreme Court, long after it became apparent that because of some influence at work in Washington the proposed plan for early congressional action was being thwarted.

In furtherance of the plan to secure early and harmonious action a suggested form of a bill was prepared, and on September 20, 1921, the following invitation was sent to all Members of Congress from Illinois:

The trustees of the Sanitary District of Chicago expect to suggest to the Congress of the United States certain legislation which is necessary to protect the public health of the residents of the sanitary district and of the residents of the Illinois Valley, and would appreciate an opportunity to discuss the matter with you and the other members of the Illinois congressional delegation.

Finding that several Illinois Members of Congress are now in Chicago, the trustees earnestly invite you to be their guest at an informal luncheon to be held at room 103, Hotel La Salle, Chicago, on Friday, September 23, 1921, at 12.30 o'clock. We hope you can arrange to be present.

Several members of the Illinois delegation attended the conference, which was held in Chicago on September 23, and others who were unable to attend expressed their willingness to cooperate in the plan outlined.

At this conference, upon suggestion of Congressman MARTIN B. MADDEN, it was unanimously agreed that the proposed bill should be introduced by me, as I was the Illinois Member of the House Committee on Rivers and Harbors, and I introduced the bill November 9, 1921 (H. R. 9046, 67th Cong., 1st sess.).

On the day of the conference, September 23, 1921, however, there was introduced in the Senate a joint resolution:

Requesting the President to invite the Government of Great Britain to join in the formation of an international commission, to be composed of three members representing the United States and three members representing the Dominion of Canada, to investigate the flow of water through the Chicago drainage canal and to make such recommendations as they may deem advisable to their respective Governments, looking to an agreement or treaty which will secure an adequate flow of water through such canal.

This resolution (S. J. Res. 116, 67th Cong., 1st sess.) was referred to the Committee on Foreign Relations, and if adopted by the Senate and concurred in by the House would have put the Government of the United States in the false position of admitting that Great Britain has some control over the inland waters of the United States, and consenting to representatives of the English Government having equal voice with our own in determining the use to which the waters of Lake Michigan, wholly within the United States, may be put. No action was taken on it.

As a matter of fact, under article 2 of the existing "treaty between the United Kingdom and the United States of America relating to boundary waters and questions arising along the boundary between Canada and the United States" (proclaimed May 13, 1910), each country "reserves to itself" the exclusive jurisdiction and control over the use and diversion of all waters on its own side of the boundary line "which in their natural channels would flow across the boundary or into boundary waters." This absolutely excludes Lake Michigan.

This treaty of 1910 created an international joint commission of six members, three representing the United States and three the Dominion of Canada, but it has no authority over diversions "existing" at the time, to which class the sanitary district diversion belongs.

My bill (H. R. 9046) was referred to the Committee on Rivers and Harbors of the House, which committee sent it to the Secretary of War and the Chief of Engineers, who forwarded the same to the United States district engineer at Chicago—Col. William V. Judson—who returned the same to his superior officer with a favorable recommendation. (See Doc. No. 2, Committee on Rivers and Harbors, House of Representatives, 67th Cong., 1st sess.)

Meanwhile, for the first time in many years, representatives of the sanitary district and the State government, through its executive and administrative officers and through the waterways commission, created under H. J. R. No. 41 of the Fifty-second General Assembly, were actively cooperating with the Illinois delegation in Congress, supported by the associations

of commerce and other civic bodies in the State, to promote the passage of H. R. 9046, which, if successful, would not only have disposed of the injunction proceedings brought by the United States against the sanitary district, but would have saved the Wisconsin suit from being filed.

Engineering briefs in support of the Michaelson bill (H. R. 9046, 67th Cong.) were prepared by the Illinois Department of Public Works, division of waterways, and by the sanitary district for consideration by the Chief of Engineers of the United States. He, however, asked for more detailed information as to the financial capacity of the district and its ability to construct additional sewage treatment works in a shorter period than provided for in the bill.

The management of the sanitary district, the legislative and executive departments of the State government, the Illinois and Chicago Associations of Commerce, and many other State-wide commercial organizations had approved H. R. 9046, and all were working together in complete harmony; the engineers had prepared the information requested by the Chief of Engineers and were ready to submit the same, when, on January 6, 1922, like a bolt from the blue there came a message from Washington announcing to the trustees of the sanitary district that the Secretary of War had transmitted to the Committee on Rivers and Harbors a report prepared by the Chief of Engineers, which report on the Michaelson bill was very prejudicial to its passage.

When I protested to the Chief of Engineers against this apparent breach of faith in not giving the State and sanitary district engineers a chance to supply the information prepared at his suggestion before making his report, that official stated in substance that his action had been taken by direction of the Secretary of War and at the instigation, as he understood, of a member of another body.

Subsequently, January 23, 1923, a bill was introduced in the Senate carrying provisions similar to the original Michaelson measure. The bill was referred for consideration to a "select committee" composed of five Senators, with Senator McCormick as chairman, appointed under a resolution introduced by him January 16, 1923. This select committee has not yet reported.

In the meantime, on June 18, 1923, Joseph B. Fleming, of R. R. McCormick's law firm, acting as Special Attorney General of the United States, secured an injunction restraining the sanitary district from diverting from Lake Michigan more than 4,167 cubic feet of water per second, although over 8,500 cubic feet per second is now being used, and under the Illinois State law at least 10,000 cubic feet per second is required.

If this injunction should be sustained by the United States Supreme Court, in which it is now pending, it will reduce the present flow in the Drainage Canal by more than one-half. This will not only double the pollution of the Desplaines and Illinois Rivers but, since the run-off of water in the sanitary district is 10,000 cubic feet per second, the curtailment of the flow in the Drainage Canal will in times of heavy rainfall result in the reversing of the current of the Chicago River and send its sewage-polluted water into the lake to mingle with our drinking water—as it did recently, through the fault of some one, with dire consequences on the south side—thus carrying germs of typhoid fever into the homes of all residents of the sanitary district.

If Robert R. McCormick was sincere in his pretended hope and desire that the sanitary district would defeat the suit of the Federal Government to reduce to 4,167 cubic feet per second the amount of water to be withdrawn through the drainage canal and discharged into the Illinois waterway, how does it happen that Joseph B. Fleming (of the law firm of McCormick, Kirkland, Patterson & Fleming, of which this same Robert R. McCormick, "coeditor" of the Chicago Tribune, and sometime president of the sanitary district, is the titular head) was in 1922 appointed Special Attorney General of the United States to prosecute this old injunction suit which was started with the tacit approval if not at the instigation of Robert R. McCormick when he was president of the district?

Congressional authority to continue the present diversion of water, which would have saved the injunction from being issued, was provided for in the Michaelson bill, introduced November 9, 1921.

Responsibility for delay in securing congressional action and relief for the more than 3,000,000 people whose health is put in peril by the pending injunction does not rest upon my shoulders, although this false charge was printed in the Chicago Tribune.

Responsibility for the present wasteful and incompetent management of sanitary district affairs rests upon the Chicago Tribune and its family, who through a bipartisan deal and their control of publicity and patronage—not to mention any

possible influence they may have with certain agencies of protection or prosecution—are able to dictate to the trustees of the district, a majority of whom make haste to carry out the Tribune's orders.

As evidence bearing out the facts here stated and called to your attention, I herewith submit excerpts from a letter recently received from William F. Mulvihill, a citizen of Chicago, who as former chief counsel for the drainage board made an investigation and a thorough study of this entire subject:

FEBRUARY 25, 1924.

In re the Sanitary District of Chicago.

Hon. M. A. MICHAELSON,

*Representative in Congress, Washington, D. C.*

DEAR MR. MICHAELSON: Permit me to call to your attention the inclosed clippings from the Chicago Tribune which falsely charges you with responsibility for the failure of the Sanitary District of Chicago to secure congressional authority to withdraw 10,000 cubic feet of water per second from Lake Michigan for the purpose of diverting the sewage of said district from Lake Michigan into the Mississippi watershed.

Having been chief counsel for the sanitary district of Chicago for more than two years and also special counsel in the so-called lake level controversy for one year thereafter, I am in a position to know that these charges are absolutely false and that, as a matter of fact, you, on November 9, 1921, introduced in Congress a bill expressly authorizing such diversion.

Fearing that these untrue publications might escape your notice, I take the liberty of calling your attention to the same and to the following facts, which place the responsibility for playing politics with the public health of 3,000,000 people where it belongs.

I charge, first, that the Chicago Tribune, although pretending to be a Republican newspaper, pursues a rule-or-ruin policy in politics, and that after its candidates for trustees of the sanitary district were defeated in the Republican primary of 1922 the Tribune bolted the party ticket and supported the Democratic nominees.

I charge, second, that after the Tribune had fooled enough Republicans into voting for the Democrats to defeat the Republican nominees the Tribune forced a bipartisan combination between these Democrats and certain hold-over Republicans, whereby, since that time, the Tribune has controlled a majority of the board of trustees of the sanitary district, and, through that control, the district's annual appropriation bill has been doubled in two years, being boosted from \$19,000,000 in 1922 to \$38,000,000 for 1924.

I charge, third, that this increase in the sanitary district's budget, under the Tribune's bipartisan board, has provided a reservoir of political jobs, which are being used to build up a bipartisan organization to promote the political ambitions of members of the family which owns and publishes the Chicago Tribune.

I charge, fourth, that Robert R. McCormick, former president of the sanitary district, now editor of the Chicago Tribune and a member of the law firm of McCormick, Kirkland, Patterson & Fleming, is more responsible than any other one man for the Federal injunction against the district, now pending in the United States Supreme Court, which if sustained will reduce by more than one-half the amount of water now being withdrawn from Lake Michigan and which is essential for diluting the sewage of Chicago before diverting the same through the Chicago drainage canal into the Des Plaines and Illinois Rivers.

I charge, fifth, that this injunction, procured by Joseph R. Fleming, McCormick's law partner, as "Special Attorney General of the United States," on June 18, 1923, if sustained, will, in times of heavy rainfall, reverse the current of the Chicago River and again send its sewage polluted water into the lake to mingle with our drinking water as it did before the drainage canal was dug, when the annual death rate from typhoid fever ran as high as 170 per 100,000 of population.

You will recall, Congressman, that in 1921 the Illinois Legislature amended the sanitary district act authorizing the district to build sewage-purification works, supplemental to its dilution system, so that no increase in the amount of water withdrawn from Lake Michigan will be necessary, and authorizing the district to pay for the construction of compensating works in the outlets of the Great Lakes, to restore lake levels, and justify Congress in permitting the continued use of our present sewage-disposal system, which has cost the taxpayers \$100,000,000.

After Governor Small had approved these amendments and the aid of the Illinois State government had been enlisted, a meeting of the Illinois congressional delegation was held in Chicago on September 20, 1921, to agree upon a plan for securing early congressional authority to continue the present amount of diversion, which would have put an end to the litigation and have made the creation of the present bad situation impossible.

I feel, Congressman, that because the public health of the people of the sanitary district has been put in peril and because the false attacks made upon you in the Chicago Tribune and its allies are attributed to your opponent—who is affiliated with the Tribune political faction

and who is drawing a fat salary from the sanitary district for very little work—it is my duty to call your attention to the facts. I trust that you may be able in some way to inform your constituents and the residents of the sanitary district of the real situation and place the responsibility for the delay in securing congressional action and for the present wasteful and incompetent management of the sanitary district where it belongs.

Yours very truly,

WILLIAM F. MULVIHILL.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 3265. An act to authorize the construction of a bridge between the Boroughs of Brooklyn and Queens, in the city and State of New York;

H. R. 3681. An act to authorize the building of a bridge across the Waccamaw River, in South Carolina;

H. R. 4808. An act granting the consent of Congress to the construction, maintenance, and operation of a bridge across the Pearl River between St. Tammany Parish in Louisiana and Hancock County in Mississippi;

H. R. 4807. An act granting the consent of Congress to the State Highway Commission of Louisiana to construct, maintain, and operate a bridge across West Pearl River in the State of Louisiana; and

H. R. 584. An act to authorize the county of Multnomah, Oreg., to construct, maintain, and operate a bridge and approaches thereto across the Willamette River, in the city of Portland, Oreg., in the vicinity of present site of Sellwood Ferry.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 383. An act for the relief of William R. Bradley, former acting collector of internal revenue for South Carolina; to the Committee on Claims.

WILLIAM H. FULHAM AND BELLE DUPRÉ.

Mr. MacGREGOR. Mr. Speaker, I desire to call up the following reports from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

#### House Resolution 200.

*Resolved*, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to William H. Fulham the sum of \$203.33 and to Belle Dupré the sum of \$103.33, being the amount received by them per month as clerks of the late Hon. H. Garland Dupré.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

#### ASSISTANT CLERK TO COMMITTEE ON ENROLLED BILLS.

The SPEAKER. The Clerk will report the next resolution. The Clerk read as follows:

#### House Resolution 195.

*Resolved*, That the chairman of the Committee on Enrolled Bills be authorized to appoint an assistant clerk to the Committee on Enrolled Bills, who shall receive compensation at the rate of \$3 per diem during the sessions of the Sixty-eighth Congress, to be paid out of the contingent fund of the House, payment to commence from the date such clerk entered upon the performance of duties, which shall be ascertained and evidenced by the certificate of the chairman of said committee.

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. Is this the usual provision made at each session of Congress for assistant clerks?

Mr. MacGREGOR. This has been done ordinarily, only the per diem has been \$6 instead of \$3. We have cut it \$3.

Mr. BYRNS of Tennessee. Let me ask this question: Does this increase the number of clerks for the committee over what it was in previous sessions or is it the same number? In other words, how does the present force compare with other sessions?

Mr. MacGREGOR. The Committee on Enrolled Bills has one clerk. This gives him an assistant clerk and has been customary.

Mr. BYRNS of Tennessee. I understood the gentleman to say that, but how many clerks did they have during the last Congress?

Mr. MacGREGOR. They had the same. We gave the clerk an assistant clerk.

Mr. GARRETT of Tennessee. Throughout the major portion of the Congress?

Mr. MacGREGOR. Yes; during practically all of it.

Mr. BANKHEAD. Will the gentleman allow me to ask a question?

Mr. MacGREGOR. Certainly.

Mr. BANKHEAD. This is a competent man and you have been paying \$6. Why is it you cut him to \$3 unless you expect to work him half the time? That is a rather unusual thing.

Mr. MacGREGOR. During a good many Congresses they have been paid a per diem, sometimes three and sometimes four, at so much per diem. The chairman of the committee now seems to think he can get along with this one man as a comparing clerk with the regular clerk at this rate.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. Certainly.

Mr. BLANTON. I am a member of this committee. Would the gentleman mind giving me five minutes on this resolution?

Mr. MacGREGOR. Certainly not. I have no objection.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

Mr. MacGREGOR. Mr. Speaker, I yield five minutes to the gentleman from Texas.

Mr. BLANTON. Mr. Speaker, I just wanted to call attention to the peculiar actions of inconsistency on the part of the House of Representatives concerning various measures. We are now voting to pay a clerk \$3 a day as compensation. This is supposed to furnish him a livelihood. Yesterday and day before we had a proposition up here concerning the several hundred traveling employees of the Revenue Bureau, and in addition to the big salaries they are to draw and in addition to paying all their transportation expenses, the House of Representatives, over my protest, allowed them \$7 a day additional for subsistence alone.

Mr. GILBERT. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GILBERT. Does the gentleman know what service this clerk performs?

Mr. BLANTON. The service of an extra clerk to the committee. I presume if he does not perform some service valuable to the country he ought not to be appointed, but if he is appointed he ought to be paid more than \$3 a day for the House to be consistent, especially when the House went on record yesterday in favor of \$7 per day allowance to employees for subsistence. I asked that the rate of subsistence allowance be reduced from \$7 to \$5 and the House voted down that amendment and insisted on paying an allowance for subsistence of \$7 a day in addition to transportation and salaries to certain other employees of the Government. And yet on this occasion we are giving a clerk for the performance of duties \$3 a day. If the duties are not worth performing, he ought not to be appointed.

Mr. GILBERT. For the gentleman's enlightenment I will say that this clerk is a temporary clerk to read and compare the bills. The chairman said he could find a young lady thoroughly competent who would listen while some one else read to see if the comparison was correct, and he could get the service for \$3 a day; and if so, why pay more?

Mr. BLANTON. I agree with the gentleman that for such work you can get an efficient young lady for that remuneration. At the same time, what I was calling the attention of the House to was that if a young lady can live on \$3 a day—furnish board, room rent, and clothe herself properly—surely other employees of the Government on good salaries, with the payment of all their transportation expenses, should not be allowed \$7 a day additional for subsistence, but that \$5 would be sufficient.

Mr. GILBERT. This young lady only gives a part of her time. I would say that I am on that committee—not only in the Directory but in fact—and have examined into this matter, and I think it is a reasonable and proper allowance.

Mr. BLANTON. Has my distinguished friend and ex-jurist from Kentucky ever seen an employee of the Government who gave more than part time? Part time is the practice and custom in these days. All give part time to the Government. I was merely protesting against the extravagance of the House yesterday.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### ENROLLING CLERK.

Mr. MacGREGOR. Mr. Speaker, I call up a further resolution from the Committee on Accounts.

The Clerk read as follows:

#### House Resolution 199.

Resolved, That there be paid out of the contingent fund of the House, from and after February 1, 1924, compensation at the rate now paid for the services of an enrolling clerk to act during the illness of the present incumbent.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

#### DISTRICT OF COLUMBIA POLICE AND FIRE DEPARTMENTS.

Mr. ZIHLMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5855) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia; and pending that, I ask unanimous consent that general debate be limited to two hours, one half to be controlled by the gentleman from Texas [Mr. BLANTON], the ranking member of the minority, and the other half by myself.

The SPEAKER. The gentleman from Maryland moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5855.

The motion was agreed to.

The SPEAKER. The gentleman from Maryland asks unanimous consent that general debate be limited to two hours, one-half to be controlled by himself and one-half by the gentleman from Texas. Is there objection?

There was no objection.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CHINDELOM in the chair.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ZIHLMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. COOPER].

Mr. BLANTON. Mr. Chairman, I yield 10 minutes also to the gentleman from Ohio [Mr. COOPER].

The CHAIRMAN. The gentleman from Ohio is recognized for 20 minutes.

Mr. COOPER of Ohio. Mr. Chairman, the people of Washington and the whole Nation were startled a few days ago when the news came to them that United States Senator GREENE, of Vermont, was shot down while peacefully walking along historic Pennsylvania Avenue, literally in the shadow of the Dome of the Nation's Capitol, during a pistol battle between bootleggers and officers of the law.

This incident has done more than anything else to focus the attention of the public on the bold activities of outlaw liquor dealers and the entire question of law enforcement. Properly and rightfully the people are demanding to know why it is not safe for law-abiding citizens to walk along the best-known street in the country within almost a stone's throw of our Nation's Capitol Building, where our laws are made.

#### TIME TO SPEAK OUT.

I say that the time has come for some one to speak out and endeavor to place the blame on the right shoulders for the condition which made possible this outrageous occurrence. If a prohibition officer is guilty of carelessly shooting firearms, he should be punished.

But, Mr. Chairman, it seems that every effort is being made by certain interests in Washington to fix the entire responsibility on the Federal agent, who with police officers of the district, surprised a band of bootleggers who were boldly unloading a whisky still in the heart of the Nation's Capital, and when the officers came upon them, they engaged the latter in a pistol battle which resulted in the shooting of Senator GREENE.

#### BOOTLEGGERS FAVORED.

I regret to have to say that it appears that the effort to make the Federal prohibition agent solely responsible for this shooting is not restricted to wet committees and organizations. Immediately after the shooting the Federal agent was placed under arrest and kept in jail until late the following afternoon before being released on bond. The next morning the bootleggers who escaped the officers the night before were arrested and immediately released on bond of \$3,000 apiece, while the prohibition agent had to furnish bond for \$5,000 when he was finally given his freedom.

Why this discrimination against the officer of the law and this tenderness toward the bootleggers by officials in Washington who are supposed to uphold the law? I assert that the bootleggers who were involved in this affair should have been kept in jail without bond until all danger that Senator GREENE would lose his life had been removed. Why did not the United States District attorney here in Washington see that this was done?

#### BOOTLEGGERS' PATRONS MUST SHARE BLAME.

I charge that this is just an illustration of the attitude of powerful influences in the Nation's Capital toward the illegal, disgraceful, and notorious traffic in booze which has been thriving in Washington. And the greatest shame and disgrace of it all is, that there are many, so we are told, who are high in the official and political life of the Nation, people of supposed intelligence and education, those of social and financial standing who stand back of the bootlegger by patronizing their contemptible illegal business. These people of the gay night life mixing their cocktails and highballs are the first to speak in superior condemnation of the officers who take their lives in their hands when they interfere with the bold bandits who are engaged in supplying these thirsty patrons.

If these people had sufficient respect for the Federal Constitution and the law of the land to control their selfish appetites, the so-called "society" bootleggers would starve to death, and the likelihood of pitched battles on the public streets, endangering the lives of law-abiding citizens, would be almost removed. [Applause.]

So, Mr. Chairman, I say to the people of the country who would know why a United States Senator was shot down on Pennsylvania Avenue the other day, that they can first of all put the blame on the careless, indifferent, selfish patrons of the bootleggers, especially those who boast of their standing in the community and who therefore serve as examples for the poor and the ignorant to follow.

#### LAW OFFICERS SCORED.

Next among those who deserve the condemnation of all right-minded citizens are those public officials charged with enforcing the law, who fail to do their duty earnestly, honestly, and without fear or favor. I grant you that these officials have no easy task, but unless they are willing to do their best and try to perform their sworn duty they should surrender their places to others more ready or more competent.

The best men available should be given a free hand to enforce the law. I charge that this has not been done in Washington. Young inexperienced lawyers are assigned by the district attorney to prosecute cases against bootleggers, while the bootleggers have the best talent obtainable to defend them.

Only a few days before Senator GREENE was shot it was announced that several deputy United States marshals in the District had been suspended from office for alleged complicity with a rum-running syndicate. It does not seem to me that either the district attorney or the United States marshal take the prohibition enforcement question with sufficient seriousness.

#### POLITICS CAUSES TROUBLE.

Mr. Chairman, a large number of the prohibition-enforcement officers honestly try to do their duty and enforce the law, but just as long as men are appointed to the difficult task of enforcing prohibition because of political influence and backing, enforcement of the law will be neglected. Many of those appointed as prohibition-enforcement officers are not chosen for their qualifications or because they honestly believe in the enforcement of the eighteenth amendment but, by reason of strong political influence, enforcement officers have been appointed who were not in sympathy with the law. It is charged that politicians have cooperated with dishonest enforcement officers and collected their share of the spoils. It is a known fact which can not be challenged that many of the politically appointed enforcement officers, while on the pay roll of the Government have spent a large part of their time in working at the political game in the interest of the politicians who were responsible for their appointments. And this is one of the chief reasons why prohibition enforcement has not been more effective.

Politics should have no place in the enforcement of the eighteenth amendment. It is not a party question. The whole enforcement of prohibition should be taken away from the politicians and placed into the hands of some department of government under one head who would be held responsible for the enforcement of the law.

#### POLITICAL APPOINTEES FILL BUREAU.

The work of prohibition enforcement is hard enough without being complicated because of political obligations and entanglements. To-day the Federal prohibition bureau is full of politi-

cal appointees from the top to the bottom. The time has come when the people are going to demand that our prohibition officials see to it that the law is enforced. I have come to the conclusion that some of the officers who have been appointed are not now and never have been in sympathy with the enforcement of the provisions of the eighteenth amendment to our Constitution.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes.

Mr. BLANTON. Men high up in legislative activities and prominent newspapers are advocating that prohibition-enforcement officers should be disarmed. How could there be any enforcement as against armed bootleggers if we disarmed our enforcement agents?

Mr. COOPER of Ohio. I think the gentleman's question answers itself.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. I have only a little time, and I wish the gentleman would permit me to proceed without interruption at present. Finally we have the wet propagandists themselves, who by their activities, their utterances, and their declarations encourage violation of the law.

Mr. Chairman, a few days ago I received an amazing communication through the mail relative to the recent unfortunate shooting of Senator GREENE.

#### WETS ENCOURAGE LAW VIOLATIONS.

This communication came to me from an organization styling itself the "Joint legislative committee of the American Federation of Labor, National Association Against the Prohibition Amendment, Constitutional Liberty League, and the Moderation League Incorporated." It states that James Duncan, first vice president of the American Federation of Labor is chairman, and one James C. Espy is publicity director. The committee headquarters are at the New Willard Hotel, Washington, D. C.

The communication which I referred to a moment ago reads, in part, as follows:

We charge that United States Prohibition Commissioner Roy A. Haynes has incited his agents to commit murder in the enforcement of the prohibition law. There are instances where Federal prohibition agents have attacked and shot innocent citizens. The indiscriminate use of firearms by the several thousand armed agents of the enforcement department has become a menace to the lives and safety of the people, and nobody has done anything about it.

We all deplore the shooting of Senator GREENE. Among his colleagues in the Senate and the Members of the House of Representatives with whom he served for years with distinction and credit to his State and Nation, no party lines nor other distinctions separate us in the common shock which we experienced when the news was brought to us that he had been wounded.

#### LIQUOR OUTLAWS HAVE BLOODY RECORD.

But, to my mind, those who are responsible more than anyone else for this outrage are attempting to throw out a smoke screen under which they would cover their guilt and shame. The liquor outlaws have written a bloody record since the advent of prohibition. They have defied all our laws, and in the very shadow of the Nation's Capitol they were caught violating the fundamental law of the land.

This wet organization or committee which makes the public charge that the Federal prohibition commissioner has incited his agents to commit murder does not utter one word of criticism of the bootleggers who were caught in the act of unloading from an automobile a whisky still almost within a stone's throw of this Capitol Building at the point where Senator GREENE was shot. Not one word do we hear from them which even slightly reflects on these law violators.

During the last two or three years from 35 to 50 Federal officers have been killed by bootleggers and rum runners. I now challenge this organization to show where they have on any single occasion expressed any regret for the murder of these officers who were trying to carry out their sworn duty. Many of these victims were young men. They are survived by families with little children who must now face life's battle alone. Some of them fought under our flag during the World War and passed through all the major engagements of the great conflict without a scratch from the enemy, only to be murdered by bootlegging assassins after they returned home.

#### WETS DON'T CONDEMN BOOTLEGGERS.

Whisky runners and bootleggers killed these officers, but we do not hear one word of condemnation from the lawless liquor-traffic advocates or this organization of personal-liberty howlers

who have their headquarters at the seat of our Government in Washington and are now challenging the right of the American people to enforce laws that have been enacted by the orderly process of Government.

That such an accident to a prominent Senator should be seized upon by a wet organization for propaganda purposes is an outrage and insult to every law-abiding citizen. Their attitude gives encouragement to the bootlegger and whisky runner and to a large extent is responsible for the shooting of prohibition-enforcement officials. The demand which they make that the officers of the law shall not be permitted to defend themselves is an open invitation to every criminal in the country to violate the law with impunity. [Applause.]

Their charge that prohibition agents are invited to shoot is a falsehood, for the instructions given them are never to use firearms except in self-defense.

#### LIQUOR OUTLAWS SHOOT TO KILL.

How long should an officer stand as the target for the bullets of the outlaw rum runner? Shall we permit those who have no respect for the laws of the land to kill those who are trying to enforce a plain provision in the Constitution? [Applause.]

To-day we find the outlaw bootlegger and rum runner with high-powered motor cars, equipped with smoke screens to throw off pursuit. Armed to the teeth, these criminals of the liquor traffic are the most desperate and dangerous group of organized bandits in our country.

They deal in poison and ply their trade with murder and bloodshed. A short time ago these outlaws killed a Federal officer, and, not content with his death, they poured 76 shot in the dead body of their victim. These are the type of criminals who make it unsafe for law-abiding citizens to walk the streets day or night.

About two months ago, in my own State of Ohio, in the dead hour of the night, bootleggers dynamited the home of a prohibition agent, seriously injuring the officer's wife and baby. Two or three weeks later this same brave officer was stabbed to death by whisky runners in my home city. But this foul murder was not wholly unexpected, for the organized band of law violators had seryed notice that they would kill him or anyone else who attempted to interfere with them while they were plying their unlawful business.

#### SHOCKING MURDERS COMMITTED.

It is only a short time ago that the country was shocked by the slaying of Federal Prohibition Officer Stewart, of Buffalo. This officer was killed by the riffraff who put no value on human life. But these murders do not stop the ceaseless propaganda by the wets, who are seeking to break down the law of the land and thereby encouraging those who are engaged in bootlegging and whisky running to kill those who would balk them.

Recently the sheriff of Franklin County, Ind., was shot and killed by whisky runners whom he surprised. A patrolman of South Bend, Ind., was killed and another seriously wounded in a fight with bootleggers. Booze bandits in ambush fired on Federal officers who were returning from a raid in Floyd County, Ind., in an attempt to rescue prisoners whom they had taken. All of these are recent events; but we have not heard one word for law observance; we have not heard one word of condemnation from this so-called joint legislative committee which is trying to divert the attention of the country from the criminal to the officers of the law who are endeavoring to enforce a constitutional provision against the sale of intoxicating liquors.

#### WHISKY RUNNERS BUSY.

Last week an officer of the United States Coast Guard testified before a committee of Congress that the whisky runners along our coasts go armed to the teeth and frequently fire upon the Coast Guard men when the attempt is made to capture them.

I believe that Congress and the States should pass additional laws to severely punish the murderous bootlegger and whisky runner who are at large in many parts of our country, determined to kill those who try to prevent them from selling their poison liquor. [Applause.]

Let me say to this committee and the National Association Against the Prohibition Amendment and other organizations of like character that they would command greater respect from the American people if they would proceed in an orderly and lawful way to carry on their campaign for the repeal of the national prohibition act, instead of quickly coming to the defense of whisky runners and encouraging them to carry on their unlawful business.

#### WORKERS WON'T AID WETS.

Mr. Chairman, in closing let me say it is no credit to labor organizations to have Mr. James Duncan, vice president of the American Federation of Labor, as chairman of this wet committee. It is no credit to Mr. Duncan, who has been a leader of organized labor for years, to allow his name to be used by an organization which would nullify the Constitution of our Republic and put obstacles in the way of law enforcement. It is to be regretted by the decent, law-abiding workmen that Mr. Duncan can not find something more worth while to do for the benefit of wage earners than to place himself at the head of an organization which seeks the return of the liquor traffic, which was ever the arch enemy of the workingman and his family. [Applause.] But the workers will not assist him in this effort to flood the country with wet propaganda. He has allowed himself to be used as a tool of wet agitators who are misrepresenting the thought and attitude of the decent, sober-minded, law-abiding working classes of our Nation.

An overwhelming majority of the American wage earners stand for law and order, not for moonshine whisky and nullification. They stand for opportunity and decency, not for crime and drunkenness. [Applause.]

#### PROHIBITION SURE TO BE TRIUMPHANT.

Mr. Chairman, in conclusion I want to express the hope that nothing I have said here to-day will cause anyone to think that I am fearful of the future of prohibition. I am not, because I have faith in America and the American people. Our people have always met a great crisis when it came. And sooner or later the citizens of our country will be aroused and demand that the laws against the liquor traffic be fully enforced. For the sake of our country, for the sake of clean politics and good government, for the sake of the home, for humanity's sake, let all good citizens unite and put an end to present wanton disregard for the Constitution and the law of the land. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. CABLE].

Mr. CABLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CABLE. Mr. Chairman, I have sent a letter to the Clerk's desk, written to Commissioner Curran, which I ask the Clerk to read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

FEBRUARY 11, 1924

To Mr. CHARLY CURON

*Immigration Commissioner of Ellis Island N. Y.*

So I read in the newspapers that you are from Congressman Johansons group as against the Immigration and your aduers to clog the American dors for Immigration. So you should know that next year 1925 will be a democratic President in the White house and he will nok our your hed from the Immigration office he will apoint a liberal man as Imi-gration Commissioner in Ellis Island and you should remember if the Immigration law will be pasd so like you want so all the republican caundlats for offices from the President and down will be dedidet by next election—

FROM CITIZEN OF THE UNITED STATES.

Mr. CABLE. Mr. Chairman, partisan politics has not up to this year entered into the question of immigration legislation. It was a hundred years after the signing of the Declaration of Independence before Congress enacted any restrictive immigration laws at all, and it was only then because certain foreign countries were literally shipping their paupers and convicts to America. Later Democratic and Republican Congresses passed immigration bills only to be vetoed by Republican and Democratic Presidents. In 1917 our present basic Immigration law was passed by a Democratic Congress over the veto of a Democratic President. In 1921 it was a Republican President who signed the present quota law. I want to say, as my friend and colleague from Ohio [Mr. COOPER] has just said in respect to prohibition, that there is no room for partisan politics in solving the immigration problem. It is a purely patriotic question involving American traditions and ideals. Democrats and Republicans alike, in my opinion, are equally loyal in their desire to protect America and the American people from the influx of immigrants that threaten to come to the United States at the present time. [Applause.] The partisan issue was not raised until what I term a foreign bloc raised its head and held out its votes to the Republican Party and to the Democratic Party alike, offering its support and votes to the party that would

assist them in the defeat of the immigration bill, and threatening the defeat of the other party.

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield?

Mr. CABLE. Yes.

Mr. LINEBERGER. If this bloc, which has the influence to which the gentleman has referred at this time, is permitted to increase itself in the coming years by a further influx of immigration, what sort of a situation would the gentleman anticipate we will have in four or five or ten years from now when we attempt to pass restrictive measures?

Mr. CABLE. A more difficult situation. I submit that the Democrats and the Republicans must unite in forming an "American bloc" and that neither need yield to the foreign influence.

Mr. BOX. In view of the fact that five of the seven Democrats of the House Committee on Immigration have joined in the report favoring the Johnson bill, and the probability that it will be almost solidly supported by the Democrats of the House, to what place will these gentlemen who threaten our patriotic Republican brethren be forced to go for comfort?

Mr. CABLE. They will have no place, unless they return to the foreign countries in whose nationals they seem more interested.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. CABLE. Yes. But before I yield I want to say that the question of partisan politics has never been raised in the House Committee on Immigration since I have been a member, and it should not have been raised in this House.

Mr. SABATH. Will the gentleman designate the bloc in the House which the gentleman says has been formed on the immigration bill, and what pledges or promises they had made as to what legislation to defeat?

Mr. CABLE. They propose to defeat H. R. 6540. As the gentleman knows, that bill was reported to the House by the committee on February 9. Yet, according to the Boston Transcript of February 7, a report was sent from Washington to New England stating that certain Italians had come to Washington and that they had conferred with certain Congressmen, and that these Congressmen had agreed to work against the bill.

Mr. SABATH. What I want to know is the bloc in the House?

Mr. CABLE. I will answer the gentleman's question.

Mr. SABATH. And on what legislation they had made a deal.

Mr. CABLE. I will answer the gentleman's question. Here is the report that was broadcasted throughout the New England States by the bloc that came here to defeat the bill:

Let me read to the gentleman the last paragraph of the special dispatch appearing in the Boston Transcript the 7th of February. After naming the Congressmen pledged against part of the bill, it states:

Mr. Petetti said that apparently Congress intends to pass the House bill. He added that if the measure should pass in its present form he was afraid the Italian voters of Massachusetts, New York, Rhode Island, and Connecticut, who are practically all Republicans, will leave the party in a body. The delegation intends to return to Boston tonight to begin a series of mass meetings against the bill.

That delegation did not come here as American citizens, but as a foreign nationality or group to oppose the bill.

I have here a report from the New York Herald of February 9, the day on which the bill was reported out, wherein it is stated that Representative LAGUARDIA, of New York, said and predicted that if the bill passed, New York City in the next election would go 500,000 Democratic and make it impossible for the Republican vote up State to overcome the lead, thus losing the State in the Electoral College.

I repeat, partisan politics have no place in this patriotic question. It is a nonpartisan proposition, and it is a serious matter to determine who shall come to the United States and who may become American citizens. Congress must not be dictated to by a foreign bloc in framing the law.

Mr. SABATH. I agree with the gentleman, but I would like to know the bloc. I understand the term "bloc" is used in Congress when a group of Members get together and fight for or against certain legislation. You have charged that there has been such a group formed here for the purpose of defeating this legislation and has made arrangements, or a deal, to support or defeat some other legislation.

Mr. CABLE. I will not yield to the gentleman to make a speech. I have made that statement before. If this newspaper report is true, these people coming from the New England States show that there is a bloc.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CABLE. Yes.

Mr. RANKIN. The gentleman read into the Record a letter from some alien threatening the Republicans in case this restrictive law was passed. I presume the gentleman knows that we Democrats are also receiving similar letters, threatening a Republican administration if we refuse to accede to their wishes.

Mr. CABLE. Yes; that is the way the game is being played, both ends against the middle. I want to show that partisan politics has been injected into this proposition by the foreign bloc. For example, here is what Major Curran, commissioner of immigration at Ellis Island, said:

I had a telegram from a Congressman the other day demanding the admission of a certain Greek immigrant because, he said, the Greek vote in his city depended upon the admission of that immigrant, and there were 8,000 Greek votes in that city. Just what is a "Greek vote" in America? What business has it to be here?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CABLE. Mr. BLANTON, may I have five minutes more?

Mr. BLANTON. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. CABLE. I want to call further attention to the influence that is being brought to bear. Take the city of New York, for example. The foreign stock constitute 80 per cent of the population. Only 20 per cent of the people of the city of New York are native born of native-born parentage. What happens in the city of New York? I read from the New York American of February 20, 1924, the following:

The board of aldermen yesterday unanimously adopted a resolution petitioning Congress to defeat the Johnson immigration bill.

That shows the effect of the foreign born in the United States in attempting to dictate to Congress what laws should be passed and what should be defeated.

Now, the St. Louis Globe-Democrat—what does it say? On February 16, 1924, in an editorial the St. Louis Globe-Democrat says:

Warnings that the State of New York will be lost to the Republicans next fall if the bill passes are not to be taken too seriously. The regulation of immigration has never been a partisan issue, and the humane provisions of this bill ought to appeal to rather than affront the naturalized vote in the East, whose alienation is alleged to be threatened.

The New York Times of February 26 says:

Too many of the protests against immigration restriction have been made by persons more interested in specific foreign groups or foreign nations than in the homogeneity of the United States.

According to another newspaper, it appears that foreign-language newspaper editors have organized to defeat the bill.

Not only nationals in the United States but foreign nations throughout the world are attempting to defeat this bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield again?

Mr. CABLE. In a second.

According to the Columbus Dispatch of January 27, the Japanese Government has brought pressure to bear to defeat the legislation. The Columbus Dispatch says:

Japs may cancel \$200,000,000 in United States trade orders. \* \* \* New York alien bloc ready.

The pressure of foreign governments and alien blocs on administration leaders and Members of Congress will retard formation of the new immigration bill and may lead to radical changes, if not the defeat of the bill, in the opinion of some members of the committee.

Now I yield to the gentleman.

Mr. RANKIN. I understand the Secretary of State, Mr. Hughes, is opposed to this bill, and I just wanted to ask the gentleman if, in his opinion, such a propaganda as he refers to has had any effect on him in making up his mind in opposition to it?

Mr. CABLE. I respect the Secretary of State, but I can not agree with him on his proposition of admitting Japanese into the United States on a quota basis.

Mr. RANKIN. Does the gentleman think that the Secretary of State's opposition to this bill is going to retard its passage?

Mr. CABLE. I doubt it.

Mr. KING. Mr. Chairman, will the gentleman yield there?

Mr. CABLE. Yes.

Mr. KING. I want to know, for information, whether the gentleman in his work has discovered whether or not the shipping interests of New York City, and allied shipping interests, are opposed to the bill?

Mr. CABLE. I imagine they are, because the bill would cut down their revenue.

Mr. BOX. Is opposition to restriction and proper regulation of immigration not in line with their attitude throughout the entire history of the country's efforts to deal with the problem?

Mr. CABLE. Yes.

Mr. JOHNSON of Washington. In answer to what effect statements in letters by Secretary Hughes might have on the bill, I wish to say that if the committee has time, it proposes to accept some of the administrative suggestions of the Secretary of State or amendments that might make the overseas immigration more workable. But as to the question of policy, the committee insists on the bill as it is reported, and will let the House vote up or down on the bill.

Mr. CABLE. I am glad to have the chairman make that statement.

Members of the committee, I want to call your attention to a clipping from Labor, a paper published in Washington, wherein it is stated:

Foreign nations seek to write United States immigration law. Great pressure being brought on Congress to defeat Johnson restrictive measure. Large employers, foreign governments, and so-called alien blocs in this country have turned their batteries against the bill sponsored by ALBERT JOHNSON, Representative from Washington.

From the Times-Star of Cincinnati, Ohio, of February 10, 1924, I want to read this editorial statement to the members of the committee, and particularly to the gentleman from Chicago, Mr. SABATH:

There is a foreign bloc in Washington, and it is at least as active as the other blocs. It is trying hard just now to prevent the enactment of any effective immigration legislation. On the other hand, feeling throughout the country is ten to one for restriction.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CABLE. Mr. Chairman, may I have one more minute?

Mr. BLANTON. Mr. Chairman, if we could locate the gentleman from Maryland [Mr. ZIHLMAN], the gentleman might have additional time. I have already yielded the gentleman five minutes.

Mr. SANDERS of Indiana. Mr. Chairman, I will take the responsibility of yielding two minutes to the gentleman from Ohio.

The CHAIRMAN. The gentleman from Ohio is recognized for two additional minutes.

Mr. CABLE. I thank the gentleman. I have a letter here from a lawyer—who is a naturalized citizen—in the city of Cleveland, Ohio, and I want to read the concluding paragraph of that letter:

You and your "American" friends in the American Congress assembled should know and must know that, although some of us were born in foreign countries, we are not "foreigners" but loyal American citizens. We are with you in the "American bloc."

I want to commend that statement and the writer's patriotism. Many naturalized citizens are just as loyal as the native born. The mistake some make is that they attempt to use influence in the passage of legislation more in the interest of their native land than their adopted country. This immigration bill would not affect any foreign born here. I favor restrictive legislation. It will benefit all here alike, native and foreign born, alien and citizen.

Mr. LINEBERGER. Will the gentleman yield?

Mr. CABLE. Yes.

Mr. LINEBERGER. This is a selective immigration bill.

Mr. CABLE. Yes.

Mr. LINEBERGER. Has not the gentleman found in his experience as a member of the Immigration Committee that there is a very substantial, a very large, sentiment in this country that is for the entire suspension of immigration for a period of five or ten years, and is not this bill, in a measure, a compromise with that sentiment?

Mr. CABLE. I will say to the gentleman that if the committee reported a suspension bill the House would pass it.

Mr. LINEBERGER. There is no doubt about that.

Mr. CABLE. This bill admits fireside relatives of American citizens outside the quota. It counts abroad instead of in New York. It will do away absolutely with the hardships of deportation as far as the quota provisions are concerned.

The national need for a further restrictive as well as selective measure is recognized in the bill. The changes proposed are not radical but necessary and may be summarized as follows:

The weaklings are weeded out abroad by means of a certificate plan and the granting to American consuls the discretion to refuse visas to those in their opinion undesirable. No families will be separated because of excess quotas, as no one

can start without a certificate, which must be used within two months from the date of issue. It also prevents the racing of huge liners across the ocean to be the first to land their passengers. By means of this certificate plan a steady flow of foreign born through Ellis Island will be possible, resulting in a more thorough and more intensive examination.

The quota is reduced from 3 to 2 per cent, so that new arrivals may be limited to our capacity to absorb them. The census of 1890 instead of that of 1910 is proposed.

No discrimination against any country can be claimed, because fathers and mothers over 55 years of age, husbands and wives of citizens of the United States, as well as their unmarried minor children under 18 years of age, are admitted as nonquota immigrants, and such persons will come chiefly from countries whose quotas will be cut.

Those who are not eligible for citizenship are not admissible, because "we have no room in this land for those who can not assume the duties and obligations of citizenship."

A minimum quota of 200 is provided for every country. Seepage of alien seamen into the United States will be stopped by means of a landing-card provision. The proposed bill reduces the number who may come from 357,000 to 169,000.

The fight for further restrictive immigration is not as yet won. The bill is not a law. Alien influence, international in character, is joining forces with "alien blocs" in the United States to prevent the passage of this measure. In large cities where the foreign born hold the balance of power, threats of political punishment have already gone out to their Congressmen in case the measure is passed.

In addition, the work is not complete. Congress should continue the constructive program by adding to the quota the nationals of Mexico. A law should be passed penalizing the thousands of aliens who are smuggled into this country in defiance of our law. The only legal remedy now available is deportation, and that is seldom used because of lack of funds.

Enact a law placing the alien bootlegger in the class with the other deportable aliens. Permit the confiscation of airplanes, automobiles, and ships now used in the business of smuggling aliens into the United States. Establish patrols along the many unguarded highways leading into this country and at the same time conduct a thorough survey of our penal institutions to ascertain the undesirable alien and deport him.

Our Nation, neither economically nor socially, needs more immigrants, but it does need to make good citizens of aliens now here. This is best accomplished by the restrictive policy of this bill. America must be kept American.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman and gentlemen of the committee, the bloc which has been created by my friend and colleague from Ohio—

Mr. CABLE. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. CABLE. I will say this: It was the foreign born who came here before the bill was reported out that opposed the organization of an American bloc to protect American principles and ideals under American laws. [Applause.]

Mr. SABATH. I venture to say that all of the gentlemen who came and appeared before the committee are just as loyal and just as law abiding as any voters or citizens in the gentleman's district, and you nor anyone else needs to fear that American principles and ideals are in any danger by anything that they have done or may do in the future.

What I desire to say is this: That the bloc is a creation in the suspicious mind of the gentleman who has given birth to the foreign bloc in the interview he gave out and in the statement he made here some time ago.

Mr. Chairman and gentlemen, you all, as well as myself, were very much amused when the gentleman from Ohio had the letter, purporting to come from some foreign born, addressed to the commissioner at Ellis Island, read. As you observed, it was signed "Citizen" and typewritten. Does not that appear a little suspicious? Of course, I would not even insinuate that my colleague would for a moment doubt that such letter had actually been written, but I do firmly believe that it was written—not by a foreign-born citizen—but by one of those busy professional restrictionists with a view of being utilized and, perhaps, even read by some one on the floor not only for political reasons but for the purpose of creating prejudice in the minds of the Members of the House, and this would not be unusual because at all times while immigration bills are being considered, statements, articles, yes, even statistics, are being manufactured to be utilized to mislead the American people against immigration.

Mr. CABLE. Will the gentleman yield?

Mr. SABATH. I have only five minutes.

Mr. CABLE. I have the original letter here which the commissioner gave me.

Mr. SABATH. I have only five minutes. Now, the gentleman from California, and, of course, as Californians feel the same way, they are continuously fearful and afraid of the future of our Nation. Well, I want to say to him—

Mr. LINEBERGER. I want to correct the gentleman. We are not afraid of anything, but we want to protect the Nation.

Mr. SABATH. The gentleman should not be afraid of anything.

Mr. LINEBERGER. We are afraid of this bloc more than anything else.

Mr. SABATH. I assure the gentleman he does not need to lose any sleep or be afraid of this bloc, because there is no such thing in existence that I know of. I have been a member of this committee for 16 years; this is my seventeenth year, and if there were such a bloc I believe I would know about it; in this, I believe, even the gentleman from Ohio will agree that I hide nothing and usually say things as they are to the best of my ability.

Mr. CABLE. I will say to the House that the gentleman is a good member of the committee, but we do not usually vote the same way.

Mr. SABATH. No; we do not always agree, and that is because the gentleman does not really understand the fundamental principle involved in the great question. [Applause.]

I have believed, and I believe now—

Mr. CABLE. Will the gentleman yield?

Mr. SABATH. In one second. I am of the firm opinion and belief that notwithstanding the frequent unjustified charges that are being made against immigration our country in no way has suffered from it, but, on the contrary, has been greatly benefited. It is not only the present-day immigration but the immigration of a hundred, eighty, sixty, and forty years ago was obliged and did perform the hardest and the most common work which helped to upbuild our country. It has been employed in the forests and in the fields, in the mines, in the shops and plants, and has in every way aided and assisted in developing the wealth of our Nation. Not only has the immigrant helped to create, but he materially aided in finding an outlet for our surpluses, which has made our country the envy of the world, not only rich and prosperous, but the best country to live in.

The so-called "new" immigrant beyond doubt has clearly proven and demonstrated his loyalty to our country, to our flag, and to our institutions, and it is manifestly unfair that not only he but those of foreign parentage should be condemned on the floor of the House by a certain few gentlemen who make it appear that they are undeserving or that the Nation, as is so often stated, is in imminent danger from them.

Of course, I had not expected that this gentleman from Ohio would deliver his immigration speech, so ably prepared, at this time. In the near future I am going to answer him and others at length. Then I will show the gentleman from Ohio and some of my colleagues from the South, as well as from the Pacific coast, that they unnecessarily fret and that they are in error when they try to make the Nation believe that the newer immigration is inferior to the older immigration, and I will not only go back to the immigration of the eighties and sixties but for their information I will read statements and reports made by men who, like they, looked with apprehension to the then coming immigration, and I know that the Members and the country will be amused when they read the unkind things that were said of the immigrants who were charged with overrunning our cities and filling our penal institutions in 1670. And when opportunity presents itself I shall also read some of the reports about the immigrants who were coming in the seventeenth, eighteenth, and nineteenth centuries. Not with the intention, of course, to reflect upon them or the splendid citizenship of our country but merely to bring to the attention of the House and the country how some gentlemen even in those early years have been carried away with prejudice as some are to-day, and that the praise given to the earlier immigration was not forthcoming then, and for that purpose alone I insert, having the opportunity to extend my remarks, an extract from pages 18, 19, 20, and 21 of the second annual report of the managers of the Society for the Prevention of Pauperism, dated New York City, December, 1819:

First. As to emigrations from foreign countries, the managers are compelled to speak of them in the language of astonishment and apprehension. This inlet of pauperism threatens us with the most overwhelming consequences.

And this in the report of 1819, over 100 years ago:

The present state of Europe contributes in a thousand ways to vast and unceasing emigration to the United States. A universal shock of commercial embarrassment has pervaded, and still pervades the continent of Europe. The whole system of trade and exchange is affected; internal industry directed to new objects; nations are manufacturing for themselves, and abandoning the usual resorts; armies and navies are disbanded and labor-saving machinery is daily lessening the necessity of manual industry. Hence an almost innumerable population beyond the ocean is cast out of employment, and this has the effect of increasing the usual want of employ. This country is the resort of vast numbers of these needy and wretched beings. Thousands are continually resting their hopes on the refuge which she offers, filled with the delusive visions of plenty and luxury. They seize the earliest opportunity to cross the Atlantic and land upon our shores. Many arrive here destitute of everything. When they do arrive, instead of seeking the interior, they cluster in our cities, or sojourn along our seaboard, depending on the incidents of time, charity, or depredation, for subsistence.

And this in the report, 1819:

On application by one of the managers to his honor the mayor, he states that from the 1st day of March, 1818, to the 1st day of November, 1819, there have been 35,560 passengers who have arrived in vessels at the city of New York, and been reported at his office, of these, 18,930 are foreigners. How many others have crossed our frontier lines, and arrived by way of the Canadas, or how many thousands have evaded our laws, which requires a report of each person on landing, we can not say, but the chief magistrate of this city has calculated that the number of 18,000 and upward, does not include more than two-thirds of the real number; and after making every reasonable deduction, this would give as an aggregate of more than 28,000 who have arrived at this port in 20 months. What has been the destination of this immense accession of population, and where is it now? Many of these foreigners may have found employment; some may have passed into the interior; but thousands still remain among us. They are frequently found destitute in our streets; they seek employment at our doors; they are found in our almshouse and in our hospitals; they are found at the bar of our criminal tribunals, in our bridewell, our penitentiary, and our State prison. And we lament to say that they are too often led by want, by vice, and by habit, to form a phalanx of plunder and depredation, rendering our city more liable to the increase of crimes, and our houses of correction more crowded with convicts and felons. For years and generations will Europe continue to send forth her surplus population. The winds and the waves will still bring needy thousands to our seaports, and this city continue the general point of arrival. Over this subject can we longer slumber? Shall we behold a moral contagion spreading and expanding with the most inveterate ravages amid the ranks of our growing population, without endeavoring to arrest its progress? Shall this mass suddenly be identified with ourselves and our children, inculcating their habits and their principles, without an anxious effort on our part to stay the impending calamity?

And this is a part of report made in the year 1819!

Mr. Chairman, all I want, or, rather, will say to you to-day is this: You ought not to accuse Secretary Hughes because he has sent in the letter or report pointing out the defects in the bill. He was obliged to do that, and any honest Secretary would be obliged to do the same thing. He pointed out in his report that the bill is violative of our treaties with foreign governments, and there is no question about that. He pointed out that it is a discriminatory bill, and there is no question about that.

I hope in the near future, when you gentlemen who are sane on the question of immigration will read unbiased reports, you will come to the conclusion that he was right and that the bill that was reported by the committee was discriminatory and violative of our treaties with the foreign governments.

Mr. CONNERY. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. Can I have two more minutes?

Mr. ZIHLMAN. I yield the gentleman two additional minutes.

Mr. SABATH. I yield to the gentleman.

Mr. CONNERY. Does not my colleague from Illinois know that the President of the United States told a delegation which came here to visit him, as quoted in the newspapers a few days ago, that he was against any bill which would discriminate against any nation in particular, and does not this bill discriminate particularly against southern Europe in contradistinction to northern Europe?

Mr. SABATH. So I have been informed, but, as I have stated, the bill does discriminate against the so-called newer

immigration, because it is based on the census of 1890 instead of 1920; and that is done for the purpose, as I say, of keeping out as many of the newer immigrants, or people of that kind of immigration which has been designated as the newer immigration. In connection with that I want to say to you that the records will clearly demonstrate that there is no danger or need of fear from the newer immigration. They have demonstrated their loyalty and patriotism to the same extent that the older immigration has.

Mr. LINEBERGER. Will the gentleman yield?

Mr. SABATH. But, of course, the advocates of restriction, and especially those who believe there should be no immigration, must have something, and consequently they send out from day to day statements, interviews, and misleading articles to prejudice the minds of the American people against the so-called newer immigration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINEBERGER. May the gentleman have another minute? I want to ask him a question.

Mr. BLANTON. I yield the gentleman one minute.

Mr. LINEBERGER. The gentleman said the 1890 bill discriminates against the so-called newer immigration.

Mr. SABATH. Yes, sir.

Mr. LINEBERGER. If that is true, would not the 1910 basis, which I understand the gentleman is in favor of, discriminate against the older immigration?

Mr. SABATH. No; it would not.

Mr. LINEBERGER. Who were the original American stock.

Mr. SABATH. What do you call the original stock?

Mr. LINEBERGER. From northwestern Europe.

Mr. SABATH. No; it would not. It would give them the same percentage; in fact, it would give them a larger number of immigrants than the 1890, and there would be no discrimination.

Mr. LINEBERGER. There would be a discrimination in ratio, however, if 1910 is adopted instead of 1890.

Mr. SABATH. No.

Mr. HOLADAY. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SABATH. Can I have three more minutes to answer some of these questions?

Mr. ZIHLMAN. I yield the gentleman one additional minute.

Mr. SABATH. I yield to my colleague.

Mr. HOLADAY. I would like to ask the gentleman if he does not believe that these alien groups, organized as a particular alien group, appearing before the committee and putting out propaganda in behalf of their native land against the action of the American Congress, are doing more to stir up prejudice against them than anything else?

Mr. SABATH. Yes; I do agree with the gentleman that some of these overanxious gentlemen coming down here and pleading for fair play and against discrimination creates a prejudice, but it should not, because they are sincere and honest men. They are well-meaning men. They do not mean to do any harm; but they do not realize that you gentlemen look upon them with suspicion and believe they are undeserving of being permitted to appear before the Committee on Immigration or any other committee and state their grievance. That is their right and privilege, and you should not resent it.

The CHAIRMAN. The time of the gentleman has again expired.

[By unanimous consent, Mr. SABATH was given permission to revise and extend his remarks.]

Mr. ZIHLMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, a bill which will carry on some of the restrictive provisions of the present quota law, which would expire on June 30, must be passed soon through this body and through the Senate. It must be apparent to all Members and citizens generally that as the weeks go by, bringing us closer to the time when such a restrictive law, which was the first one ever signed by any President, expires, that the issue will become more and more keen.

Nothing breeds so much trouble as racial differences. There is nothing which makes such vicious debate as religious prejudice. Therefore if the membership of this House which desires to act for the good of the United States will, as these debates come on and as letters and telegrams pour in, and as the issue becomes more and more clear cut, begin to sort up and classify the varying forms of opposition and endeavor to see why this kind of opposition and why that kind of opposition and how all opposition is bound together, we shall be prepared

to exercise good judgment when the time comes to vote on the restrictive immigration bill.

I believe now more firmly than ever that races will stick together. There must be some reason. In Europe, where there is so much trouble, often when you cross a river you step from one nation to another nation. You find the people not only speaking a different language but hating the people on the other side of the river with all their might, as they have hated them for a thousand years; and, to my mind, as we come in the United States to a reflex of these disturbances in connection with an effort to restrict immigration, and when we hear the appeals of various peoples calling themselves this or that hyphenated type of American, we can see what we are breeding in the United States if we do not act now while the opportunity is ours. [Applause.]

There is no malice and there is no attempt at discrimination and no hatred in the bill which is on the calendar (H. R. 7995). A situation has arisen and that bill meets it. I have taken occasion in years past to say to those who come with special appeals in behalf of special peoples who seem to think that because they have arrived in the United States the people they left behind in other countries have vested rights in the United States, that each time the House Committee on Immigration labors on a bill to restrict immigration the provisions are made a little more restrictive. This is clearly in response to the public demand, which has become nation-wide, and if this thing keeps on and the challenge becomes more bitter, I feel sure that the committee of which I have the honor to be chairman will, if it makes any change in the bill at all, make it still more restrictive. [Applause.] Many Members of the House want a bill completely suspending immigration.

But, my friends, when you come to write a bill suspending immigration you find you can not write one unless you suspend the treaties with all nations. So you have to make exemptions to cover the requirements of all the treaties, and then make exemptions for visitors, for sailors, for wives and children, and soon you make so many exemptions that you destroy the plan of suspension. A small quota is the better plan.

I am only one member of the committee and only one Member of this great House, but if I could write a bill I would restrict the quota almost to the vanishing point, and then I would admit the bona fide wives and children—the unmarried children under 18 of the people in the country prior to April 1, 1924, or any other date certain. In that way we could clean house and help those now here to establish their homes. To my mind there is nothing gained in bringing new people, new immigrants, without their wives and children, and then denying them the opportunity or privilege of bringing their actual immediate families. I hope some day that those who are working the hardest to solve the immigration question will see that.

The preamble to our Constitution starts with "We, the people of the United States." That takes care of all the people here. We do not say "citizens," but we say "people," and we mean "people." That being so, the quicker we decide to be a little more careful as to who are admitted as "people of the United States" the more certain we shall be as to the future of the United States. If we continue to admit great numbers of those who fail to assimilate, we will be in danger of ourselves being assimilated. Our customs will be changed for us. Indeed, that very thing is happening in many localities. Entire political subdivisions have become so beholden to the views of the new arrivals—even of those who do not vote—that a rational consideration of the immigration problem is out of the question. When we read the authentic and official reports as to the great numbers of those who are trying to get to the United States from central Europe, we should realize that the quicker we shut down immigration to the vanishing point the better off we will be. [Applause.]

Mr. Chairman, the people here should know something about the proposition of Mussolini, of Italy, for the establishment of a new kind of Italian savings bank in this country for the benefit of the people in Italy. The people in the United States should know why the Italian wives and children do not come here.

Let us try to pass a law which will be for the good of the United States to-day, to-morrow, and for all time, and let us do it without malice, without regard to the threats to sabotage any political party. If we do not do it no political party, either Democratic or Republican, will be safe from similar attack. In New York City to-day to elect men to high places you put up one man with a foreign name naturalized on one ticket and another man with a foreign name on the other ticket, and you call such candidates Republican or Democrat as best fits the situation. No good can come of such low politics. [Applause.]

Mr. BLANTON. Mr. Chairman, I yield myself 15 minutes, and I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, if every once in a while we could get from some foreign government an immigrant from the many thousands who come to this country, a citizen who would become as good a citizen and as valuable and honorable a citizen as our distinguished friend from Illinois [Mr. SABATH], there might be some excuse for opening wide the doors and having no restrictions. He is a valuable citizen. Some of his colleagues may not know it, but last year from his farm he raised over 100,000 baskets of potatoes to help feed this Nation. [Applause.] Last year from his farm he raised nearly 150,000 baskets of onions to help feed the Nation. I approve of such a citizen as Brother SABATH, but I believe, as our friend from Ohio [Mr. CABLE] said, that if the question was put fairly up to this House, not by a compromise bill from this committee, but put fairly and squarely before the House to protect the rights of just such citizens as the gentleman from Illinois, I believe the House would pass a bill to suspend immigration for at least five years in this country. [Applause.]

Mr. SABATH. Will the gentleman yield for one question?

Mr. BLANTON. Yes.

Mr. SABATH. I wish to state that there are hundreds of thousands much better men and much more deserving men, who came the same way I did, right in the United States than I am.

Mr. BLANTON. Where you get one good citizen like the gentleman from Illinois [Mr. SABATH] we get thousands of anarchistic Bolsheviks who would tear down and destroy the Government of the United States.

Now, I can not pass on without referring to the splendid speech delivered by our colleague from Ohio [Mr. COOPER] this morning. The gentleman from Ohio [Mr. COOPER] and myself differ on a great many subjects. We have voted against each other on a great many occasions. He does not agree with me many times, and he has fought against me across this aisle on numerous occasions. But I have learned to love him since I have been in the House. I do not know a braver man in this House than our distinguished friend from Ohio [Mr. COOPER]. There is not a more loyal citizen, there is not a more patriotic citizen, who stands here day after day fighting for the best interests of the Nation. I appreciate a man like that, even when I sometimes differ with him, and I say God speed him in the splendid work he is doing.

But I must get down to the bill we now have under discussion.

Mr. Chairman, the Metropolitan police of the District of Columbia have given their promise to Congress that if we will pass this salary bill granting them adequate compensation they will furnish Washington, the Nation's Capital, with the most up-to-date, efficient, law-enforcing police force in the United States. If they will do this, it will be money well spent. I am in favor of giving them a trial.

We have been told that present salaries do not attract enough men of high character and necessary qualifications to fill the ranks, but that with the increases granted by this bill eliminations may be made of any members of the force who may be inefficient, unqualified, or careless in law enforcement and the personnel brought up to 100 per cent good.

There are some men on this force who are careless, for on their beats exists dives where the law is daily violated. I have had occasion to check up on them where complaints came to me from citizens. I know of one such place where it is reliably reported that the proprietor has been arrested three times, and immediately after releasing himself by giving a small bond has resumed his business of selling liquor that intoxicates, with a crowd of young men hanging around his establishment each afternoon and night, notwithstanding that I personally brought these complaints to the attention of the superintendent and inspector. A vigilant police should be able to put such a lawbreaker out of business by arresting him every time he opened up.

It has become so dangerous to walk across the streets of Washington that every time you start across the street one of these taxicabs that operate here now is liable to run over you. There is no attempt whatever made in the city of Washington to regulate the speed, especially of these black and white taxicabs. All of them are bad enough. I want you colleagues of mine to watch them every time you go out on the streets of Washington and you will see that they are darting here and

there, driving all the way at from 25 miles to 40 miles per hour in certain parts of the city with little children out in the streets.

Mr. STEVENSON. Is not the reason they paint them black and white so that you can see them? You could hardly see them if they were not so painted, they go so fast.

Mr. BLANTON. The law that regulates speeding is just as applicable to the black and white taxicabs and to every other kind of taxicab as it is to every other kind of an automobile that runs in the city. I say that the policemen of the city of Washington must stop it. They are winking at those taxicab companies. They are granting them immunities and special privileges. They are letting them violate the law every day for some reason, I know not what, and they ought to enforce the law as to them as well as to individuals.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KING. I wonder if the gentleman has made any investigation of the monopoly of the standing space in front of the Union Station by the black and white taxicabs.

Mr. BLANTON. Oh, I have mentioned that on the floor a dozen times. Even a Representative or Senator in his own car can not drive into the Union Station without going in a side way. The main passage there next to the station is reserved exclusively for the black and white taxicabs. If a man goes there in his own car, he has to go into the second or third or fourth driveway, and then walk in between privileged taxicabs to get into the station. He can not go into the main driveway, because that is reserved for the black and white taxicabs. Nor can any other taxi enter there. The President's car itself would not be permitted to drive in there, because the black and white taxicab has a monopoly there which it enjoys; and these busses do not observe the traffic rules and pay no attention to the rights of individuals. The police force must enforce the laws. Unless, Mr. Chairman, the Metropolitan police force does clean up and does eliminate the careless, indifferent, and inefficient policemen and force every policeman to be active on his beat and promptly suppress all violations, I am going to be the first Member of Congress to introduce a bill to abolish the salary of the superintendent and to cut in half the salary of every policeman in Washington. This must be made the model police force in the Nation. It must set the pace in law enforcement. It must lead, so that all other forces may follow. If I did not have confidence in these men and did not believe they would do this and make good, I would not support this bill.

But, Mr. Chairman, believing that this bill will pass without opposition, I desire to use my time in discussing another matter that may soon come before us.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GRIFFIN. I suggest that the gentleman try the other alternative and double the salaries of the policemen and he might find a more effective force.

Mr. BLANTON. Oh, we are giving a very substantial raise of all salaries in this bill. That is what I have been discussing. We are doing that with the hope that they will make their promise good and make the police force here the best in the Nation. We are giving them all substantial raises, from the superintendent down to the lowest grade of policemen on the force.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. CONNERY. How does the gentleman expect the police of Washington to keep order under the worst-lighted street system of any city of its size in the United States?

Mr. BLANTON. That is a matter which we will take up on another occasion. I want now to discuss the garden-seed ghost.

#### GARDEN-SEED GHOST.

Mr. Chairman, on January 3, 1923, a motion was made to recommit the Agriculture appropriation bill in order to add to same \$360,000 for free garden seed. I made a point of order against it. The Speaker sustained the point of order. The gentleman from Kentucky [Mr. LANGLEY] appealed from the decision of the Chair, and by a vote of 173 to 85 the membership of the House sustained the Speaker in his decision, which prevented this \$360,000 garden-seed item from going in the bill. This stopped free garden seed.

Early in December the press reported that in this Congress the gentleman from Kentucky [Mr. LANGLEY] would introduce his bill to make this \$360,000 garden-seed appropriation permanent law, appropriated annually. Shortly after this the newspapers all over Texas began publishing notices about this Langley garden-seed bill.

And after the people became apprised of the fact that some Members of Congress had in contemplation the resumption of the practice of permitting Congressmen and Senators to mail out to the people under their franks \$360,000 worth of free garden seed, I want to read to you colleagues some of the protests against same which I have received.

#### WHAT THE PEOPLE AT HOME THINK.

Here is a protest I received from one part of Jones County:  
 LUEDERS, TEX., December 17, 1923.

Hon. THOMAS L. BLANTON,

House of Representatives, Washington, D. C.

DEAR TOM: We have noticed in the public press that there is to come before the House a bill to try to start again the garden-seed graft and thus increase taxes on the people. We, the undersigned citizens in your district; ask that you do all in your power to prevent its passage, as we feel that we have all the expenses in the way of taxation that we are able to bear. We ask that you do all you can to get your worthy colleagues to defeat it:

I. Z. Brown, M. D.; Berry M. Campbell, druggist; M. G. George, farmer; S. W. Seaman, oil driller; J. A. White, merchant; C. A. Douthitt, ginmer; W. F. Terry, restaurant; N. J. Tosh, druggist; Mrs. M. J. Brown, gardener; J. N. Loop, farmer; J. H. Lee, bookkeeper; Charles Stillmire, banker; B. U. Fox, merchant; H. L. Brown, restaurant; B. E. Compton, farmer; Frank H. Herrick, editor; J. E. Powell, teacher; Charles Webb, clerk; J. J. Gentry, pastor Baptist church; T. R. Putnam, merchant; Ray Rushing, farmer; Albert Hansen, clerk; W. C. Smart, farmer; H. E. Herrick, merchant; T. M. Smart, druggist; R. Dunlap, M. D.; E. L. Loudder, M. D.; J. R. Carrell, merchant; Mrs. T. M. Smart, clerk; G. W. Price, farmer; W. C. Herrington, farmer; Oscar F. Seth, farmer; T. F. Murry, restaurant; O. B. Cotton, clerk; G. F. Vaughn, shoe maker; A. Fitzgerald, merchant; C. G. Covery, farmer; B. J. Fickel, machinist; Mrs. Sarah Sharbutt; R. W. Harper.

The above list fairly represents the citizenship of this splendid community. The following comes from San Saba County:

SAN SABA, TEX., December 22, 1923.

Hon. THOMAS L. BLANTON, M. C.,

Washington, D. C.

MY DEAR MR. BLANTON: I am herewith inclosing you a protest against the reenactment of the free garden seed bill.

This protest is signed by the very best element of citizenship of this county, representing nearly every avocation. Nearly every man, woman, and child here would sign this protest eagerly. The spirit an expression of the people are against this foolish proposition. This extravagant expenditure of the people's money is a mock pretense of Congress to do benefit to the people of the country. A majority of us are strictly against this measure and hope that it will be defeated.

With best wishes and kind regards, I am,

Yours truly,

W. C. EDWARDS.

#### PETITION.

SAN SABA, TEX., December 19, 1923.

Hon. THOMAS L. BLANTON, M. C.,

Washington, D. C.

DEAR SIR: There has recently appeared in press reports a strong intimation that the "free garden seed" act would at this session of Congress be attempted to be reenacted.

We the undersigned wish to protest against this useless bill because in our opinion the benefits are not commensurate with the expenditures. Respectfully,

W. C. Edwards, ranchman; S. J. Bross, county surveyor; C. A. Harkey, county treasurer; George W. Horton, secretary chamber of commerce; G. L. Huckaby, county school superintendent; A. B. Wilson, county attorney; W. A. Smith, editor the News; W. V. Dean, county judge; Edgar T. Neal, sheriff of county; E. L. Rector, ex-State senator; T. A. Murray, president City National Bank; Mrs. Eddie Williams, clerk district court; J. K. Rector, attorney; Mitch Johnson, attorney; Dr. Ira O. Stone; Dr. J. L. Dalley; Dr. William S. Bickham; Leonard A. Skaggs, druggist; W. A. Ashley, ranchman; J. E. Rainey, farmer; T. J. Burnham, farmer; W. H. Kimbrough, merchant; James W. Cummins, merchant; W. G. Jarvis, optometrist; G. A. Walters, jr., abstractor; H. B. Clark, clerk; W. R. Hines, merchant; B. D. Sullivan, merchant; O. L. Gray, ranchman; W. L. White, clerk; H. D. Chadwick, clerk; Rev. E. E. Giesler; C. B. Lambert, farmer; W. W. Whitley, ranchman; R. Terry, farmer; Arch Woods, clerk county court.

I think that includes every officer in that county.

I have a protest sent me by Mr. E. C. Brand, of Hamlin, Tex., in which he says:

I hope to see the day when Congress will be filled with men who will try to preserve the finances of our country as they do their own, or, in other words, before they spend a dollar of the people's money, ask themselves the question, if the dollar belonged to them in person, would they expend it in such a manner.

With reference to this garden seed, we think that it is money thrown away. For instance, in talking with three men in my office yesterday two of them told me that they had received garden seed from the Government and they were stored away unused. The writer in a clean-up at home two or three days ago ran across several packages. I sincerely hope that if this seed graft bill comes up again you will use every effort to defeat it. Attached you will find a petition signed by a few of our leading citizens who ask that you protest against this graft. I believe that 90 per cent of the farmers in your district are against it.

#### PETITION.

HAMLIN, TEX., December 18, 1923.

Hon. THOMAS L. BLANTON, M. C.,

Washington, D. C.

DEAR SIR: We the undersigned farmers and business men petition that you use every effort to defeat the garden seed bill, as we believe that it is a waste to the taxpayer. We think that it is a useless expenditure and doubt that over one-third of the seed are ever planted. Your efforts will be appreciated.

T. F. Holman, C. S. Low, E. C. Brand, Lewis Boyd, W. R. Townsend, J. A. Feagan, J. C. Bledsoe, O. H. Berry, D. M. Poe, J. B. Eakin, Fred Sledge, G. L. Barnett, H. M. Payne, W. L. Hunter, D. O. Sauls, Lennie Greenway, G. H. Tumlin, R. G. Bowdry, Pat Henry, S. C. Ferguson, J. P. Terrill, H. Fields, Dr. J. E. Taylor, T. Cooper, W. M. Hinton.

The following, Mr. Chairman, was received from Taylor County:

To the Hon. THOMAS L. BLANTON, M. C.,

Washington, D. C.

We, the undersigned citizens and qualified voters of Taylor County, Tex., respectfully ask that you exert every legitimate effort in opposing the free-seed bill when it comes up in Congress.

G. T. Robinson, B. W. Ellison, F. A. Walden, R. L. Shepard, W. R. Gilbreth, B. T. Chrane, M. C. Rampp, J. H. Kading, R. E. Longacre, A. B. Lewis, C. E. Taylor, J. R. Hardwick, W. C. Davis, J. E. McCarty, S. C. Bright, D. Booth, J. A. Labett, H. M. Stevens, T. C. Tibbs, G. C. Welch, T. J. Colley, J. L. Richardson, J. P. Davis, Lon Lockley, Sam Gilbreth, C. K. Kirkendall, J. W. Smith, F. M. Smothers, M. R. Street, W. M. Webb, J. D. Ayres, P. H. Hollingshead, T. C. Cox, C. B. Bynum, Luther Rogers, J. M. Plowman, C. M. Bell, H. C. Callaway, W. D. Ross, W. J. Hodges, G. A. Chrane, W. T. Lindley, R. P. Bright, W. E. Carter, M. E. Williams, T. J. Key, J. D. Rodgers, Ben Holmes, R. J. Donald, J. W. Caton, J. L. Reynolds, Wm. Slaughter, sr., C. F. Latham, A. Hefferman, N. A. Cummings, W. E. Biggers, L. A. Petree, V. T. Babston, S. B. Brannan, A. B. Smothers, L. F. Spencer, J. P. Davis, D. F. Downing, C. D. Varnell, C. Putman, H. A. McMinns, E. E. Wood, W. O. Mobley, C. P. Abbott, S. C. Eager, B. P. Smothers, J. D. Abbott, T. A. Fuqua, W. F. Utzman, M. C. Bynum, B. C. Plowman, J. F. Reed.

I received the following protest from Mr. R. E. Bradbury, editor of the Lometa Reporter, and who formerly edited the Mullin Enterprise:

[From the Lometa Reporter]

LOMETA, TEX., December 19, 1923.

Congressman THOMAS L. BLANTON,

Washington, D. C.

DEAR MR. BLANTON: From press reports we learn that Congress will soon take up for consideration the measure to appropriate an exceedingly large sum in order that the people might be supplied with a few free garden seeds, a practice that is considered very foolish by most every person receiving them. From a sensible and economical standpoint we hope the measure will be defeated this time as it was during the last session. It is a needless waste and we feel confident that you will fight it to a cold finish. Multitudes of others are of the same opinion.

I have talked to hundreds of people living in Brown, Mills, and Lampasas Counties about this waste and not one appreciates the seeds that are usually sent out, and the Congressmen who fosters such a proposition is surely to be pitied.

Find a better use for the people's money than buying a few packages of garden seeds that, if planted, will never come up.

Wishing you and family a merry Christmas and a happy New Year, and may you live to give a century more of service in Congress.

I am, yours sincerely,

R. E. BRADBURY.

The following protest was sent me by one of the leading citizens of Anson, Tex.:

ANSON, TEX., December 15, 1923.

HON. THOMAS L. BLANTON,  
Congressman, Washington, D. C.

DEAR SIR: We, the undersigned citizens of Jones County, Tex., learning that there will be an attempt made to again pass a bill or get an appropriation for the distribution of garden seed, do hereby protest against such action on the part of Congress, and call upon you to defeat same if possible.

We understand that this matter costs the Government about a half a million dollars annually, or something near that sum, and by itself it probably would not affect to any great extent the vast number of taxpayers in the United States, yet it is one item among many items of the kind which is useless, and when taken together with all such items in the aggregate constitutes a big sum, which eliminated from the annual appropriation bills would relieve the taxpayers of this country. Besides it is not good policy or good morals to waste the public money for any purpose, and we hereby call upon you to use your best endeavors to defeat such a bill.

Barrett Brasher, John B. Thomas, T. J. Barrett, W. O. Vornack, J. C. Edwards, R. L. Smith, J. H. Barrett, T. J. Stubbs, Frank Powell, Claude Grace, Ed Altman, C. F. Harper, A. L. Cole, Charles F. Murray, M. C. Meyers, J. L. Neville, George H. Baker, E. J. Ryd, J. H. Holt, J. R. Thompson, J. A. Mills, W. F. McDuff, F. A. Arnold, W. S. Pope, Sid L. Castle, Clyde S. Brooks, G. A. Gray, Owen Thomas (district clerk), Lee McCaleb, S. A. Palmer, O. W. Lasevee, A. M. McCraight, P. F. Willis, R. L. Alexander, A. McK. Jones, M. D., J. C. Ingran.

The following protest was sent me by one of the leading citizens of Bradshaw, Tex.:

BRADSHAW, TEX., January 5, 1924.

To the honorable body of Representatives of the Sixty-eighth Congress of the United States:

We do hereby petition you as follows:

"From press reports some Members of Congress are again organizing their forces to pass at this Congress their \$300,000 garden seed graft bill, which was defeated last year. These seeds are practically worthless, and a great expense is attached to sending them out. We must curtail expenses if we desire a tax reduction. If this \$300,000 is expended annually for these seeds, there must necessarily be collected a like amount in taxes from the people to pay the bill. Therefore we, the undersigned citizens and taxpayers of this town, do hereby enter our protest against this bill and petition you to defeat it, as it is a needless expenditure—one that is sapping the American taxpayer's pocketbook."

N. B. Bailey, J. T. Boon, M. D.; Joe Poindexter, C. J. Pfor, W. M. Oldham, S. W. Browne, W. J. Harrington, J. H. B. Polloch, W. P. Hancock, H. Grissett, J. M. Smallwood, W. G. Daniel, Homer Traylor, Guy Taylor, L. J. Hardin, W. L. Pratt, R. W. Smith, E. G. Allen, W. H. Cochran, H. A. Parrels, J. J. Watts, A. F. Henge, B. Y. Howze, H. B. Turner, F. P. McCarland, J. S. Thornton, A. I. Bagmell, J. D. Halsell, Joe Floyd, L. E. Turnbow, L. H. Turnbow, J. F. Crow, C. F. Smith, L. H. Smith, J. F. Sanders, Geo. Lent, A. J. Ware, P. R. Gerlach, M. R. Bagmell, J. B. Berton, R. C. Malone, C. B. Poindexter.

I received the following protest from Dr. T. Richard Sealy, one of the leading physicians of Coleman County:

SANTA ANNA, TEX., December 22, 1923.

HON. THOMAS L. BLANTON, M. C.,  
Washington, D. C.

MY DEAR MR. BLANTON: From recent press dispatches we note that there will be an effort made to reestablish the old custom of spending about one-half million dollars of the Government money so that each and every Congressman may send to Bill Jones or Sy Smith free garden seed.

From my own personal experience and that of many hundreds of your constituents with whom I have talked, we believe this to be a wasteful expenditure of money and should not be permitted. We further believe that if Congress would assist to cut out entirely and cut

down immensely, particularly in the number of unnecessary Government employees, that it would be unnecessary for the Government to assess the present high tax rate, for by your plan you are cutting down expenses and when you do that you make it unnecessary for so much income.

Please let me have a personal letter from you concerning your campaign for Congress in your old district next year, if you have decided to make the race again. If you do decide to run again, I am for you, as always in the past, even though we do have an avowed candidate here in my own county, who is my neighbor and friend.

Very truly yours,

T. RICHARD SEALY.

I received the following protest from one of the leading merchants and business men of Brown County:

BROWNWOOD, TEX., December 21, 1923.

MR. THOMAS L. BLANTON,  
Washington, D. C.

DEAR MR. BLANTON: I have been noticing for several years the comments of the press on the practice of Congressmen distributing garden seed over the country. I consider this an absolute waste of the people's money, and am writing you to ask that you register a protest against this for the people.

There may be some short-sighted people who receive these seed thinking they have gotten something for nothing, who are pleased with this pork-barrel system of trying to get votes, but any man with brains enough to think knows that these seeds cost more than if raised by private individuals or corporations, and each individual certainly should select the seeds needed in his garden to a better advantage and to his liking than his Congressman could possibly do. Besides, seed shipped over the country by freight is certainly a more economical way of distributing than to dribble them out through the mails. I assure you that there are very few people ignorant enough in these enlightened times to think this wasteful system does not cost them anything.

I believe that it is the duty of the people in charge of our affairs to put a stop to this awful humbug business.

I am inclosing the names of several of my friends who join me in this protest, and I will say to you frankly that not a single individual approached on this subject has favored the continuance of Congressmen dishing out garden seed.

Yours truly,

W. G. BAXTER.

MR. ALLEN. Mr. Chairman, will the gentleman yield?

MR. BLANTON. Yes.

MR. ALLEN. I just want to ask if those petitioners to whom the gentleman has referred are his constituents?

MR. BLANTON. Yes; every one of them; but I have a whole bunch of others in my office, among which are some from the constituents of other Congressmen.

MR. ALLEN. Did the gentleman send those constituents seed?

MR. BLANTON. Yes; I have done it in the past, before we stopped the practice last year.

MR. ALLEN. Does not that indicate very strongly that the people to whom the seed was sent are not garden men, they are not farmers, but they are officers, as the gentleman suggested?

MR. BLANTON. If my friend will read their names in the Record to-morrow morning, he will see that many of them sign their names as farmers.

MR. ALLEN. But doctors seldom use seed.

MR. BLANTON. Sometimes they do. I can not yield further. I did not attempt in my time to read their vocations, but the vocations of many of these petitioners are stated opposite their names, and the gentleman can see that a great percentage of them are farmers.

MR. ALLEN. I think the gentleman said that they were all officers of a county.

MR. BLANTON. Oh, I merely said that one list embraced every officer of San Saba County. But it likewise embraced men of all vocations. Here is one sent me by one of the leading merchants of Brown County.

MR. KING. What is his business?

MR. BLANTON. He is a general merchant.

MR. LILLY. He sells seed?

MR. BLANTON. He may; I do not know. Here is the petition:

HON. THOMAS L. BLANTON,  
Washington, D. C.

DEAR SIR: We, the undersigned citizens of Brownwood, Tex., ask that you please do all in your power to stop the wasteful practice of distributing garden seed over the country at the expense of the

people. We do not believe that the people receive benefits to justify the amounts expended by this practice.

H. G. Baxter, Glennie-Patterson, Erva Sinclair, Mrs. Fred L. Hayes, B. H. Baxter, Mrs. W. R. Cooper, Henry Keith, W. F. Anrich, J. Waldo Carson, B. E. Anthony, Eba Carson, H. F. Hunter, T. P. Kelly, J. L. Lane, Geo. Gardenhire, Mrs. B. F. Anthony, Mrs. B. H. Baxter, H. F. Hunter, Mrs. H. F. Hunter, J. F. Hunter.

The following protest was sent to me by Mr. C. T. Beckham, one of the leading farmers and citizens of Trent, Tex.:

TRENT, TEX., December 15, 1923.

Hon. THOMAS L. BLANTON, M. C.,

Washington, D. C.

DEAR SIR: We notice from the press dispatches that Congress may soon again be called on to pass appropriations for the distribution of garden seeds, etc.

May we, as citizens of the country, be permitted to express our disapproval of all these unnecessary expenditures and to respectfully suggest to you that you use your utmost influence against the passage of such bills. We know from our own experience and observation that the money spent for seeds is largely wasted, as the garden seed from the post office is a huge joke with many of us. Assuring you that we appreciate your efforts in your endeavor to eliminate all such expenses of the Government, we are,

Very respectfully,

L. E. Adrian, C. T. Beckham, Jas. Bright, J. K. P. Winn, A. Williamson, T. J. Williamson, H. W. Beckham, H. M. Scott, O. L. Dowdy, M. G. Scott, J. O. Walter, Mrs. Billings, R. B. Johnson, Joe Winter, W. E. Steadman, W. J. Armour, J. S. Reid, E. Kegans, Carl Edwards, Ross Campbell, L. Z. Petsworth, C. Murdock, J. S. Campbell, Jackson Bright, Isaac Bright, C. Whitfield, J. M. Jones, A. J. English, R. R. Meets, Mrs. E. L. Mangum, Mrs. Jas. G. Waters, H. Kelso, R. B. McKee, C. C. McKee, C. L. McLeod, R. B. McKee, Jr., A. C. Terry, H. N. Smith.

The following was sent to me by Mr. M. W. Oldham, one of the leading farmers of Avoca, Tex.:

AVOCA, TEX., December 22, 1923.

Congressman THOMAS L. BLANTON,

Washington, D. C.

DEAR JUDGE: As farmers and voters we appeal to you as our Representative to oppose the garden seed bill. We understand that it is to come up before Congress again soon. We oppose any such law, because we consider it of no value whatever.

These seed that are sent out by the Government to all parts of the United States are of no benefit to us, because our climate and soil do not suit these seeds sent out.

We, as taxpayers, do not think it right to spend money for this, which is of no benefit to us.

We appeal to the United States Congress to oppose any such law or matter that comes before you.

We earnestly ask that this matter be considered seriously.

Yours truly,

M. W. OLDHAM.  
N. B. OLDHAM.  
J. H. EYRETT.  
P. H. GIFFORD.  
JOHN GIFFORD.  
W. W. FARMER.

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In just a moment. I could put in the Record a whole bunch more but that would take me another hour to read them, and I do not want to encumber the Record in that way. But I wanted you to know about these expressions from the people. If you get the pulse of your own constituents, if you could hear what they say about these free garden seeds when they take them from the post office, you would find that the great majority of the people of this country think that it is humbug practice that has well been stopped. I am glad that the Congress stopped it in the last session, and I hope that the Congress will not go back to it again. Let us give our constituents something else beside garden-seed service. You remember our former colleague, one of the most distinguished gentlemen in the House, the former gentleman from Mississippi, Mr. Candler. You will all recall that he made so many speeches in favor of free garden seed that some of us got to calling him the garden-seed Congressman. Did the sending out of those garden seed keep him in Congress? Not at all. Neither will it keep any of you gentlemen in Congress. It is a liability instead of an asset. It makes the business men and the farmers of your community lose confidence

in the work that we should do here when we take up the time of our office to mail out a lot of 5-cent packages of garden seed, each one of which costs this Government more than 25 cents by the time they reach our particular constituents. It is a practice that should have been stopped long before Congress did stop it. It is a practice that I believe Congress will not again inaugurate.

Mr. Chairman, how much time have I left?

The CHAIRMAN. Thirteen minutes.

Mr. BLANTON. I reserve the balance of my time.

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; I yield to the gentleman two minutes.

Mr. LINEBERGER. I want to say to the gentleman that I come from a district where there is no greater opportunity for trucking and farming and gardening afforded in any other part of the country, and the people there are absolutely disgusted with this free-seed distribution. Two-thirds of the seeds sent out by the former Congressman, before I came here, lay in the post offices and was eaten up by the rats. It cost a thousand dollars a day. I just wanted to indorse everything the gentleman from Texas said, but the gentleman did not want to give me an opportunity to do it.

Mr. BLANTON. I will say that the gentleman from California knows that I would not knowingly show him any discourtesy. I have the highest regard for him and we are good friends. I want to point him out to my colleagues as the kind of product that we in Texas raise—the very distinguished gentleman from California—as Texas sent him to California, and we are still proud of him.

Mr. LINEBERGER. No; I was born in Tennessee.

Mr. BLANTON. But we gave the gentleman a good education down there in Texas at a good Baptist college.

Mr. LINEBERGER. I am very proud of my sojourn in Texas, but I spent only two years in Texas, one in school. I thank the gentleman for the compliment, and I am sorry I do not merit all he says.

Mr. BLANTON. Mr. Chairman, I reserve the balance of my time.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman from Texas use the balance of his time? We have only one speech over here?

Mr. BLANTON. I yield seven minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, I really feel like not using the time allotted to me. I intended to talk along the line which was so fully covered by the gentleman from Ohio [Mr. Cooper]. However, I wish to add, if I may, just one or two suggestions to the most excellent speech which he made. We have here a most splendid city. It is a beautiful city to live in. It is the Nation's Capital, and I regret very much that there is so much violation of law here in the Nation's Capital. I regret very much that the newspapers speak so flippantly of the violation of law. I saw in a paper not long ago where some man who drove a high-powered car was pointed out by a prominent official as being one of the great bootleggers in the Nation's Capital. The newspapers carried an article about this bootlegger, as though it were a great honor to be a bootlegger here in the Nation's Capital.

We ought to enforce the law in Washington. We ought to enforce the prohibition laws. But that subject has been so fully covered that I want to talk just a little about the enforcement of the law against the autoists who speed here in the city of Washington. I believe our good friend Mr. BLANTON made a suggestion that there ought to be, possibly, a secret service corps of enforcement officers. That is true. If you get on a street car here at the Capitol and go out on the Mount Pleasant line I venture the assertion that you will see at least two or three men in that distance risking their lives by driving in front of the street car, forcing the man who drives that street car to slow down in order to save the life of the driver. The man who endangers his own life by driving in front of a speeding street car and forcing the motorman of that street car to slow down to save the life of the autoist will endanger by speeding your life and the lives of your wife and children.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. KING. I wonder if in the gentleman's investigation he has noticed the activity with which a man who drives a car seeks to run down those people who are crossing the white lines. I think it is a safer plan to keep out of the white lines rather than walk within the white lines. I understand also that Mr. Commissioner Oyster talks about removing the wooden platforms along the street-car tracks. Those are the last hope of the downtrodden pedestrian.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. Yes.

Mr. CLARKE of New York. Does not the gentleman think the white lines help the people to see better?

Mr. LANKFORD. I can not say as to that. I notice that Mr. Oyster proposes to take off the speed limit as well as take away the wooden platforms. We need here an appropriation for officers dressed in plain clothes to go throughout the city and when they find a man violating the street ordinance arrest that man then and there and bring him into court and try him. Consider the low amount of the fines that are imposed here in the District of Columbia for violation of the speed law—\$1, \$2, or \$3. The ordinary man arrested for exceeding the speed limit is not fined enough. There ought to be a heavy fine put on the man who goes out and violates the law here, endangering the lives of men, women, and children. You pick up a newspaper in the morning and you see where a child is crushed by an automobile and is taken to the hospital, and then they wait to see if the child dies before they arrest the driver of the automobile that injured him, or the driver is let out on bail, and then an inquest is held and it is proven that the child walked in front of the automobile and the driver is released. Should the child have been crawling or running? It is a joke the way the speed ordinance is enforced here in the District of Columbia. The other day a poor woman was knocked down by an automobile in front of the House Office Building and dragged an entire square and since died.

Mr. COOPER of Ohio. And the driver did not stop—

Mr. LANKFORD. No; the automobile did not stop. If the driver had been arrested, he would have probably been turned loose on his plea that the poor woman walked in front of the car. I do not suppose she flew there.

Officials in the District of Columbia who are charged with the enforcement of rules and regulations against speeding seem to accept as a good defense the fact that a child or a grown person walked in front of a speeding automobile and was hit. It is impossible to cross the street without walking in front of not one car only but dozens of cars. The fact that the man driving the car is doing so carelessly or at a high rate of speed and hits an individual either standing, walking, or running does not relieve the auto driver from full responsibility. The great trouble is that thousands of automobile drivers put the burden on other people to dodge them. They force the motorists of street cars to slow down in order to protect them. They force other drivers who are careful to slow down or change the course of their cars in order to protect them. These same careless, and in most cases extremely criminal, drivers also put the burden on the pedestrian to dodge and run for their lives.

Stand on one of our street corners for only a few minutes and watch and you will soon see drivers of automobiles hurrying along, turning corners, and looking not ahead but either back or in some direction other than where the car is going. They look enough to see that they are not driving their car into a tree, a brick wall, or a steam shovel, or some larger automobile, then they speed up their car, force the drivers of street cars to slow down to protect them. They force the drivers of smaller automobiles to dodge them and force pedestrians to run for their lives. If the pedestrian is hit he is accused of the awful crime of being on foot, walking on the street in front of the car at the time he was hit. This seems to make an absolute defense unless the newspapers report inaccurately the defenses which are sustained in cases where people are killed by automobiles driven at reckless speed or in a criminally negligent manner. It seems to make no difference how criminal the driver of the car is provided the party who was hit was walking in front of the car when he was hit, or got in front of the car by walking.

Under this same theory of defense, if a man takes a pistol and discharges it down a crowded street—it matters not how criminal his act may be—if he happened to hit some one who happened to walk where the bullet was going then he would not be guilty, for the wounded man walked in front of the pistol which was being discharged along a street in a crowded section of the city.

The effort to enforce rules and regulations in Washington against the automobile speed fiend is a farce and joke. I happened to be a witness some time ago in a case where an automobile driver criminally knocked the life out of a man, and in two or three minutes after the occurrence half a dozen or more negroes came up to where the negro driver who had knocked the life out of the man was held in the custody of a policeman and promptly told the policeman how carefully the driver of the automobile was proceeding and how negligently the man who was run over was walking. I knew that what

these witnesses told the policeman was absolutely false, and yet their names were furnished to the authorities, and the driver of the automobile was fully exonerated on their testimony.

The truth is the law is not being enforced. The driver who kills a man has disposed of a witness. He and his friends swear for him just what is necessary to clear him, and it is swallowed and believed and the criminal discharged harmless. I am positive that what happened in the case which came under my personal observation is happening every day. One thing which would relieve the situation very much would be the employment of a squad of plain-clothes men to go over the city and report violations and have those that violate traffic rules arrested and tried at once. It is a poor policy to wait until some one is severely injured, or killed before an arrest is made. It is still worse to make arrests when some one has been severely injured then make a joke of the whole situation by turning the criminal loose with a light fine or with no fine at all. We ought to have a squad of plain-clothes men patrolling the city and arresting violators of the speed and traffic regulations as fast as they occur without waiting for some one to be seriously injured. If this were done, there would be decidedly less violations of the law, scores of lives would be saved each year in Washington, hundreds of people who are injured would be saved harmless, and the streets of Washington would be at least reasonably safe for men, women, and children who themselves are observing the law. Drivers would be more careful, and I venture the assertion that the instance which I have just mentioned where the man was knocked lifeless at the intersection of Eighteenth and Mount Pleasant Streets would not have occurred if that driver had known that probably among the people passing this particular point there was a plain-clothes officer charged with the duty of making cases against people violating the traffic regulations of the city. It is my observation that the speed fiends and other autoist criminals here make at least a little effort to observe the rules in the presence of a uniformed official. What we need is a system whereby they may expect to be arrested at any moment regardless of whether there is a uniformed policeman in sight or not.

Mr. KUNZ. How many policemen did you find there where the accident you just mentioned occurred?

Mr. LANKFORD. A policeman finally came. I did not see any at first. I had to threaten using force to keep the driver from leaving before an officer came.

Mr. KUNZ. Is it not a fact that we have not enough policemen in this city?

Mr. LANKFORD. We probably have not, and we should have plain-clothes men to watch these cases and make arrests before serious harm is done by the criminal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I yield the balance of the time to the gentleman from Tennessee [Mr. McREYNOLDS].

The CHAIRMAN. The gentleman from Tennessee is recognized for seven and one-half minutes.

Mr. McREYNOLDS. Mr. Chairman, the discussion this morning has been very interesting, and I would like to have gotten into the discussion on the immigration proposition; but as my time is very limited, I merely want to call your attention to a letter which I have in my possession and which I feel the Members of this House ought to know about.

In doing this, it is necessary for me to give you a little history of bills which have been introduced in this House. On the 12th of January two identical bills were introduced in this House, one by the gentleman from Texas [Mr. JOHNSON] and one by myself, for the purpose of equalizing the compensation which was paid to young men who were in the training camps during the war. Certain young men sent me their claims from home, and I found that the young men who went in the first and second training camps received \$100 a month, but a bill was passed providing for pay to parties in training camps of \$100 per month up to June, 1918, and the department construed this act as only referring to men who had been assigned from line duty.

In discussing this matter with the gentleman from Texas [Mr. JOHNSON] I found he had had the same trouble, and after taking up the matter with the Comptroller General we drew and introduced this bill for the relief of these soldiers.

Mr. Chairman, I ask unanimous consent to have this short bill printed with my remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print a bill which he has introduced in connection with his remarks. Is there objection?

There was no objection.

The bill referred to is as follows:

A bill (H. R. 5333) authorizing the payment of claims of men of the Army and Marine Corps while in training for commissions in the combatant branches of the Army and Marine Corps, and authorizing appropriation therefor.

*Be it enacted, etc.,* That there are hereby authorized and directed to be paid the claims of all men of the Army and Marine Corps the difference between the pay received by them and pay at \$100 per month while in training in the training camps for commissions as officers in the combatant branches of the Army and Marine Corps for the actual period in training for such commissions during the period April 6, 1917, to November 11, 1918, both dates inclusive, who have not been so paid; and payments shall be made to all such men, whether they entered training camps direct from civil life or were detached from duty with their organization. An appropriation is hereby authorized to carry out the purposes of this act: *Provided*, That all such claims shall be settled in the General Accounting Office and shall be held as finally determined, and shall never thereafter be reopened or considered, except upon review or reconsideration by the Comptroller General of the United States: *Provided further*, That no check or warrant issued in payment of such claims shall be delivered to any person other than the claimant or claimants, and the check or warrant shall be mailed to the claimant or claimants at their actual bona fide address or addresses, and no fee or fees shall be paid to any attorney, attorneys, or agents or for prosecution of such claims on account of such training service arising under this or any other act.

Mr. McREYNOLDS. The thing to which I wish to call your attention especially is a letter which is being circulated from Indianapolis, Ind. The letter is headed in this way:

John P. Fitzgerald, Twelfth Company. Ralph Muszar, Fifteenth Company. Camp Gordon Veterans' League, organizing veterans of Central Officers' Training School, Indianapolis, Ind.

Mr. H. A. Griffith—

There is no date on this letter—

Dear Buddy—

A stranger—

Under an act of Congress of June 15, 1917, all men who attended officers' training school were entitled to pay at the rate of \$100 per month. However, this act did not carry any appropriation for such pay after June 30, 1918.

Now, as there were quite a few of us who were in training school after June 30, 1918, we should have received and are justly entitled to the same pay as the men who were in training school just a month or so before us; we were put to additional expense in the way of clothing, etc., and in all justice should be given the same pay as the men received who attended the earlier training schools.

It is our intention to have bills prepared and presented to both Senate and the House of Representatives asking that this matter be adjusted so that we may receive this additional pay.

From advice received by the party who had this letter sent to him I found that it was received by him on the 16th day of February, over a month after this bill had been prepared and introduced in the House and also introduced in the Senate by Senator SHEPPARD, of Texas.

In having these bills prepared and watching them through to a successful termination there will be certain expenses to be taken care of—necessary expenses—and we want you and all men who will be benefited by this legislation to help bear this necessary expense. We have made an estimate, and find that each man's pro rata share will be \$5.

Now, gentlemen, how far-reaching is that? A few days ago a representative of the War Department was in my office and discussed this bill, after it had been referred by the Military Committee to that department, and he informed me that there were 82,000 who would be the beneficiaries under this bill if it were passed. So they have figured it out on that basis, and they say it will require \$5 from each one of these men. You can see from this how large a fraud this is that they are undertaking to practice upon the soldiers.

As you are to receive benefits from the legislation and as the time to have these bills prepared and presented to Congress at this session is getting short, we ask that you join with us now; send in your share of this expense, so that we may get immediate action in this matter.

Mr. KELLER. To whom is the gentleman referring when he says "we"?

Mr. McREYNOLDS. Fitzgerald and Muszar are the men who signed this letter, the men who wrote this letter, and it is signed that way, or, rather, Camp Gordon Veterans' League, by John P. Fitzgerald, secretary.

They state further that they will look after this matter after it is passed in seeing that each receives his share, when the

bill which has been introduced provides that no expense shall be attached to the collection of the money and that no attorney or agent shall receive anything out of any compensation which may be voted for these boys. It was our idea that whatever was voted in the interest of these young men should go to them as net, and we felt that the Members of Congress would be glad to render them assistance in seeing that their claims were collected. Further on they state:

Do not let this matter drag; time is short; you will receive benefits of approximately \$210 from this legislation.

That letter shows it is a fraud on its face, and it is an attempt, according to my idea, to get money under false pretenses and graft of the worst character, and I am further of the opinion they are guilty of using the mails for fraudulent purposes and attempting to rob the soldiers of this country who are the beneficiaries under this bill.

For what purposes do they want this money? I never heard of these people before. If they want it for the purpose of drafting bills, then let them be advised that it does not require money to have bills introduced in this House. If they want it to pay lobbyists, then let it be understood that no bill will pass this House when it is advocated by paid lobbyists. If it is for propaganda, then, as you know, we would all say, "God deliver us from any more propaganda, because we have had sufficient during this term of Congress."

I have called the attention of the Members of the House to this because I think it is a fraud and because I felt the Members of the House would be glad and would like to notify their boys at home not to give an organization of this kind any money under these circumstances. This is a just bill and should be passed, but, if passed at all, it will be passed alone upon its merits.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ZIHLMAN. Mr. Chairman, I yield one minute to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Chairman and gentlemen of the committee, I merely want to corroborate what has been said by my good friend and colleague from Tennessee [Mr. McREYNOLDS]. The bill he mentions would have been jointly introduced by the gentleman from Tennessee and myself but for the rules, which forbid an introduction jointly by Members, and we introduced the bills separately at the same time. The subject matter of this legislation was called to our attention not by any attorneys or by any lobbyists but by reason of the fact that some of our own constituents wrote us with reference to compensation due them in attending training camps. In one instance an ex-service man who wrote me and who was entitled to receive compensation under a ruling of the department sent a letter of some attorney who had written him asking that he place his claim with him for collection.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ZIHLMAN. I yield the gentleman one additional minute.

Mr. JOHNSON of Texas. This is the reason that in drafting the bill the gentleman from Tennessee [Mr. McREYNOLDS] and I incorporated the provision that no attorneys' fees should be paid for those who handle these claims. It was to protect the soldiers against this species of graft, and I resent, in the same forceful language that the gentleman from Tennessee [Mr. McREYNOLDS] does, the implication that it is necessary for ex-service men to pay money to anybody to get legislation passed through this Congress in their behalf. [Applause.]

Mr. ZIHLMAN. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman has 21 minutes remaining.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Chairman and members of the committee, the purpose of any remarks I have to make to-day is to call attention to a condition in traffic which I think this Congress is as much to blame for as anybody else, and I believe it is only negligence that it is here. A good deal of criticism comes from time to time about reckless driving in the city of Washington. Perhaps there is some reckless driving, and there may be much of it, but there is another angle to safety in travel in a city, particularly in the congested parts and during the congested time of the day, which I think is just as important to the welfare and safety of the public as to be a careful driver, and that is to be a careful walker across the street. In the city of Washington I believe the pedestrian in crossing the street is more reckless than in any other city of the United States. Many times you will drive along the street where there is no street crossing in sight, even at dusk when it is not very light, and somebody will step out from behind a car and

start diagonally across the street. The individual who jeopardizes his life ought to have no comeback in law if the driver of the vehicle that injures him has been driving in such a way as to have his car under control at all times. Every driver of an automobile expects an obstruction to come in the way at the street crossings, and in between the street crossings he has a right to expect a clear way; and, in fact, beyond that, I believe that he ought to be given a clear way in order to clear traffic off the streets. The problem of traffic to-day is one of the big problems in every city, and the only criticism I can make along that line in this city is that traffic is held on the streets a half longer than it ought to be to clear the way. Now, what could be remedied and what could be done to make it possible to get an automobile off of the street? I am sure that 90 per cent of the people in automobiles are going to some definite point.

There may be 10 per cent joy riding around. To do anything to clear off the streets for the joy rider would not help at all, but for the business man and the man who is going in a machine to some definite point, the quicker he can get there the quicker he gets off of one street and onto another, and your traffic is less congested. Then what could be done, and this is the part that Congress will be held responsible for, in my judgment? If you get in your automobile this afternoon and start down any street in the city where there are traffic officers—and let me just digress enough to say that I believe the traffic officers in the city of Washington are on a par with those in any city in the United States, and it is very, very seldom in my experience that I have ever encountered even a discourteous one. They are usually tolerant and courteous. Once in a while, as will happen in all crowds of people, you will find a man who is an exception, but if you start down the street this afternoon and the traffic officer stops you, we will say, at Sixth Street, and you are going down Pennsylvania Avenue, you will stay there until the traffic going across Pennsylvania Avenue is through, and then he will turn the sign and let you through, and just about the time you get your car started well up goes the block on Seventh Street, and it continues that way all the way down the Avenue. You can not blame the traffic officers for that, because there is no way to-day whereby the traffic cop on Sixth Street can tell what the traffic officers on Seventh Street and Ninth Street and Eleventh Street and Thirteenth Street are going to do. So what is the solution? The only solution is for this Congress to appropriate enough money so that on the main thoroughfares you can have it like it is in New York and Philadelphia on the main thoroughfares, a semaphore system which gives you the right of way to drive for three or four or five minutes and then drive at a speed that will get you off of the street. There is not any reason, there is not any sense, in an 8 or 10 mile an hour speed limit in traffic other than the fact that you have not got your problem solved so that you can get rid of your traffic.

The CHAIRMAN. The time of the gentleman has expired. Mr. ZIHLMAN. I yield the gentleman two additional minutes. Mr. BEGG. Take the situation at Seventeenth and Pennsylvania Avenue, when a great crowd of automobiles on Seventeenth Street start to go across and they are flagged and are turned up on Pennsylvania Avenue to go across and turn around and get on the other side of Pennsylvania Avenue and come back to Seventeenth Street and then go down the street. That kind of an arrangement only increases the congestion of traffic, and it is not to the best interests of getting traffic off of the streets. I am not offering this as a criticism of the traffic officers. I am offering it as one of the problems of the traffic situation in Washington, and I believe that part of the burden of responsibility rests on us for not appropriating the amount of money necessary to furnish the equipment, so they can lay the city out with direct traffic streets, so that when they give you the right of way you can expect to drive 10 blocks and not have somebody switch in on a side street and run into you. I believe that if such an arrangement was worked out traffic accidents in the city of Washington could be reduced by at least 50 per cent.

Just as a clincher to what I have tried to tell you, I will recite my experience last summer. In coming back to Washington I came by New York and Philadelphia. I had never driven an automobile in New York City, and I would rather drive down Broadway or Fifth Avenue this afternoon in my automobile with my family and would feel more secure than I would to take it at 5 o'clock and start to go from here to my apartment or to my home out in the northwest. Why? Simply because I know that when the semaphore flashes the signal to go I am going to be permitted to go, and there is no one to come in from a side street and wreck me broadside.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ZIHLMAN. Mr. Chairman, I will take the 10 minutes I yielded to myself and endeavor to say something about the bill before the committee. I will state that the bill as originally introduced has the approval of the District of Columbia Commissioners and the Director of the Budget. The members of the subcommittee of the District of Columbia Committee which considered this bill made a number of changes. We have endeavored in the increase granted to confine our recommendations within reasonable limits and bounds. The aggregate increases carried in the bill approximate about 10 per cent. We have granted to the policemen of the District the following increases: Privates of the first class, an increase of from \$1,700 to \$1,800; to privates of the second class, from \$1,800 to \$1,900; to privates of the third class, from \$1,900 to \$2,100; sergeants, from \$2,040 to \$2,400; lieutenants, from \$2,240 to \$2,700; lieutenant detectives, \$2,640 to \$3,000; captains, \$2,640 to \$3,000; inspectors, \$2,640 to \$3,250; assistant superintendent, \$3,000 to \$3,500; and to the major and superintendent, \$4,500 to \$5,200.

In the fire department we propose an increase for private, class 1, from \$1,700 to \$1,800; class 2, \$1,800 to \$1,900; class 3, \$1,900 to \$2,100; marine fireman, \$1,700 to \$1,800; marine engineer's assistant, \$1,900 to \$2,150; marine engineer, \$1,940 to \$2,250; pilot, \$1,940 to \$2,250; assistant superintendent of machinery, \$2,240 to \$2,500; superintendent of machinery, \$2,740 to \$3,250; sergeant, \$1,940 to \$2,200; captain, \$2,140 to \$2,500; inspector, \$1,900 to \$2,000; deputy fire marshal, \$2,240 to \$2,500; fire marshal, \$2,640 to \$3,250; deputy chief engineer, \$3,000 to \$3,500; and the chief engineer, \$4,000 to \$5,200.

The total increase of the police department is \$197,460. The total pay roll under the present law is \$1,873,440. The total pay roll as provided in this bill is \$2,072,900.

The fire department is increased from \$1,319,040 to a total pay roll as carried in this bill of \$1,466,200.

The total increase carried in the bill for the fire department is \$147,160. The bill also provides that the members of the police department and the fire department shall be allowed one day of rest in seven. This will necessitate 139 additional privates in the police department and will necessitate, assuming such a number is immediately appointed, an appropriation of \$250,000.

In the fire department one day of rest in seven will require 105 additional men and an expenditure of \$189,000. So the total increase in the two departments as carried in this bill amounts to \$344,620 in the way of increase.

Mr. LARSEN of Georgia. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. LARSEN of Georgia. The bill carries a proposed increased salary for the police.

Mr. ZIHLMAN. Yes.

Mr. LARSEN of Georgia. What per cent?

Mr. ZIHLMAN. About 10 per cent, but less than that for privates.

Mr. LARSEN of Georgia. Does it contemplate that we will have more efficient service with reference to pedestrians than we now have? Does the gentleman happen to know the intention of the police force?

Mr. ZIHLMAN. The members of the police department and the members of the fire department have assured the committee that they expect to render the highest possible service. I will say that we have one of the most efficient police forces in the country, and I can say the same of the fire department.

Mr. LARSEN of Georgia. I noticed one day last week that the driver of an automobile struck a negro woman about the office building and dragged her all the way across that square and he escaped and he never was caught by the police department. On the same day a white woman was killed down near Seventh Street. What excuse can the police authorities give for that?

Mr. ZIHLMAN. Let me say to the gentleman that the Capitol grounds are not under the supervision of the Metropolitan police force.

Mr. LARSEN of Georgia. This was not on the Capitol grounds, this was on B Street. The newspaper account of it was that the woman was struck and dragged all the way across the block to Brown's café. Does the gentleman from Maryland think that is efficient service?

Mr. ZIHLMAN. I will say that as a matter of record during the past year the police department of the city of Washington had a 100 per cent record in the apprehension of criminals.

Mr. LARSEN of Georgia. Does the gentleman remember how many assaults upon women and how many of the parties

were caught in the city of Washington? If that is efficiency, I should like to know it.

Mr. ZIHLMAN. I have not the figures, but they have been put in the record several times by the gentleman from Massachusetts [Mr. TINKHAM].

Mr. LARSEN of Georgia. I must say that the gentleman's figures are not very reliable if reports are correct. Now, I am in favor of paying policemen well. However, I happen to have lived in several different small cities, ranging from 10,000 to 50,000 inhabitants. The gentleman speaks of the efficiency of the police force of this city. I think there is less efficiency here in the police force when it comes to protection of women upon whom assaults are made, and protection of pedestrians who would like to walk the streets feeling a measure of safety, than in any other city I have ever been in, and the streets here are very much wider than they are in other cities.

Mr. ZIHLMAN. Is the gentleman familiar with the statistics in other cities? Does he not know that there has been an epidemic of crime in the great cities. I think the gentleman will find the record of this city compares more than favorably with that of the others.

Mr. LARSEN of Georgia. Does not the gentleman think that the daily casualties in the city of Washington are about twice as heavy as they have been in other cities in the last few years, when it comes to automobile accidents?

Mr. ZIHLMAN. It is true they have been greater than those of some other cities, but not twice.

Mr. LARSEN of Georgia. What is the explanation of that, when the streets here are almost twice as wide as they are in other cities?

Mr. ZIHLMAN. Oh, that is a very long story, and I would not have time to go into it now.

Mr. LARSEN of Georgia. Does not the gentleman think that makes a record for efficiency?

Mr. ZIHLMAN. I think the police department has done as well as it could under the existing laws and the crowded conditions of the local courts, and the releasing of many men on small collateral.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. SANDERS of Indiana. Does the organic law fix the number of officers and privates on the police force?

Mr. ZIHLMAN. Not to my knowledge. It is my understanding that the number of the police force was fixed by law of Congress passed in 1919.

Mr. SANDERS of Indiana. How many were permitted?

Mr. ZIHLMAN. I can not tell the gentleman right now.

Mr. SANDERS of Indiana. In section 2 of the bill there is a provision for the authorization of 35 lieutenant detectives.

Mr. ZIHLMAN. That is existing law.

Mr. SANDERS of Indiana. The amendment strikes that out, so that the bill as presented with the committee amendments does not increase the number of officers or the number of privates. The gentleman's report indicates that since one day in seven is to be given, the number of privates will have to be increased.

I am asking the question only to be sure that the bill accomplishes just what the gentleman desires. Did the gentleman understand that this bill creates additional officers or men?

Mr. ZIHLMAN. It is not my idea that this bill in general terms by direction changes the existing number of policemen, but it is my opinion that if Congress should pass this bill in its present form and these men were to be given by direction of law one day's rest in seven, and Congress wants to keep the same number of men on police duty and fire duty throughout the 24 hours that they now have, it would be necessary to increase the number of firemen and policemen by one-seventh.

Mr. SANDERS of Indiana. This bill creates a necessity for an additional number of men and as I understand the gentleman the bill itself does not provide for them. The bill as originally drawn did make provision for additional ones.

Mr. ZIHLMAN. No; the gentleman is mistaken, the 35 detectives constitute the number now on the force under existing law.

Mr. BLANTON. If the gentleman will permit me, the police and fire departments in the District of Columbia were the only two departments paid by the Government who were not granted a day off in lieu of Sunday out of every seven. The committee in considering that matter thought it was just to the policemen and firemen to accord to them what has been accorded every other employee of this Government, and they provided for that in this bill.

Mr. SANDERS of Indiana. I am not talking about that at all.

Mr. BLANTON. There is where the additional men come in. That is the only provision of the bill that requires additional men.

The CHAIRMAN. The time of the gentleman from Maryland has expired. All time has expired and the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the annual basic salaries of the officers and members of the Metropolitan police force shall be as follows: Major and superintendent, \$5,200; assistant superintendents, \$3,500 each; inspector in charge of detective headquarters, \$3,730; inspectors, \$3,250 each; lieutenant assistant to inspector in charge of detective headquarters, \$2,980; captains, \$2,800 each; lieutenant detectives, \$2,600 each; lieutenants, \$2,500 each; sergeants, \$2,200 each; privates of class 3, \$2,100 each; privates of class 2, \$1,900 each; privates of class 1, \$1,600 each. Driver-privates shall have the same rank and pay as privates of the above classes. Members of said police force who may be mounted on horses, furnished and maintained by themselves, shall each receive an extra compensation of \$450 per annum; members of said force who may be mounted on motor vehicles, furnished and maintained by themselves, shall each receive an extra compensation of \$480 per annum; members of said force who may be mounted on bicycles shall each receive an extra compensation of \$70 per annum; members of said force detailed for special service in the various precincts in the prevention and detection of crime shall each receive an extra compensation of \$180 per annum; and members detailed to the motorcycle service shall each receive an extra compensation of \$120 per annum.

The CHAIRMAN. The Chair would suggest that unless there is a different order it would be necessary probably to report each amendment separately.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the amendments may be reported and voted upon en bloc.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read the committee amendments, as follows:

Page 1, line 6, after the word "each," strike out the words "inspector in charge of detective headquarters, \$3,730."

Page 1, line 7, after the word "each," strike out the semicolon and the words "lieutenant assistant to inspector in charge of detective headquarters, \$2,980," and insert a colon and the words: "Provided, That the inspector assigned to the supervision and command of the detective bureau shall during the period of such assignment be rated as and shall receive the pay of an assistant superintendent."

Page 2, line 3, strike out "\$2,800" and insert in lieu thereof "\$3,000."

Page 2, line 4, strike out the words "lieutenant detectives, \$2,600 each"; and in the same line strike out the figures "\$2,500" and insert in lieu thereof the figures "\$2,700"; and after the word "each," in line 6, page 2, insert a colon and the words: "Provided, That the lieutenant assigned as assistant to the inspector commanding the detective bureau shall during the period of such assignment hold the rank and receive the pay of a captain."

Page 2, line 8, strike out "\$2,200" and insert in lieu thereof "\$2,400."

Page 2, line 9, strike out "\$2,000" and insert in lieu thereof "\$2,100."

Page 2, line 15, strike out the words "mounted on" and insert "called upon to use"; and in line 18, after the word "annum," insert "members of said force detailed to detective headquarters in the prevention and detection of crime shall each receive extra compensation of \$600 per annum."

Page 2, line 25, strike out "\$180" and insert "\$240."

The CHAIRMAN. The question is on agreeing to the committee amendments.

Mr. SANDERS of Indiana. I desire recognition, Mr. Chairman, in opposition to the committee amendment; but let my friend from Georgia [Mr. LARSEN] go ahead first.

Mr. LARSEN of Georgia. I desire to discuss the amendment.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. LARSEN of Georgia. Mr. Chairman and gentlemen of the committee, if I understand the purpose of this amendment it is to increase the salary of the members of the police force and other officials of the city who are now serving and is not to increase the number of the force. As I understand, some of these increases range a little above 10 per cent. So far as I am personally concerned, I would be glad of an opportunity to reduce expenses rather than increase them. Yesterday we were engaged in the consideration of legislation for the reduction of taxation. Of course, we can not reduce taxes if, after voting tax reduction one day, we engage next day in raising salaries. If we pursue such policy, it will be only a question of time when we shall have to increase taxes again. If we could in-

crease the efficiency of the service by an increase of compensation, and I could be assured of that fact, I might be willing to vote for the proposed increase.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LARSEN of Georgia. Yes.

Mr. BLANTON. That is the only motive that prompts me to support these increases—the assurance given by the police department and the fire department that if we grant them these increases they can weed out from their force inefficient men, men not qualified, and get the highest-class men available, and that they will give us a model service, the best in the United States. Usually I am not in favor of any kind of increases, but I am in favor of an increase for these men who risk their lives daily. There is hardly a day passes but that when they leave home they do not know that they will ever get back alive to their wives and children. If they assure us that they will give us good service, I believe in giving them an increase.

Mr. LARSEN of Georgia. If I were a policeman, I might believe my life endangered if I undertook to walk around the streets of this city, especially just at a time when some one else might desire to cross the street in an automobile. I think their lives are endangered often in this way when they walk the streets. But the trouble is that their lives are not endangered in many instances by trying to protect the lives of people of the city. I fear they do not always make an honest effort to protect the citizens.

Mr. BLANTON. I think the gentleman is doing a little injustice to the police force in saying that. There are some high-class men on this police force. Of course, they have some others, but the main body of them are men of the highest character.

Mr. LARSEN of Georgia. I want a guaranty from them before I vote an increase. I want to know whether they will get rid of those who have not been discharging their duties. Last year, if I have the figures correct, this city was the second among all the cities of the United States, regardless of population, for casualties caused by automobile accidents. Is that correct?

Mr. ZIHLMAN. I understood there were about 60 automobile accidents.

Mr. LARSEN of Georgia. I think it was 85 persons killed here, and year before last it was 97. Last year, I believe, the city of Los Angeles, Calif., was the only city in the United States where the death rate from automobile accidents was as high as that in Washington. Yet here is a city with streets 300 feet wide—no reason for hurting pedestrians—and yet a man must oftentimes risk his life to cross the street.

Mr. ALLGOOD. There have been, as I understand, more than 8,000 violations of the traffic regulations.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LARSEN of Georgia. May I have five minutes more?

Mr. BLANTON. Yes; I yield to the gentleman five minutes more.

Mr. ALLGOOD. There were over 8,000 violations. I wonder if the gentleman does not think that the courts are somewhat to blame. It looks as if the policemen were arresting violators all right, but the courts must be to blame for not enforcing fines on those violators. There were 8,000 violations of the law in a year.

Mr. LARSEN of Georgia. I do not know just where the trouble is, but I presume there must be some fault with the policemen themselves. When 97 people are killed in one year in this city and about 90 in another by automobiles, it becomes a startling situation. When a man can not safely cross a street 300 feet wide in the Capital of the Nation something is wrong.

Mr. BEGG. Mr. Chairman, will the gentleman yield for a question?

Mr. LARSEN of Georgia. For a brief question.

Mr. BEGG. Does not the gentleman think that the man crossing the street is more responsible than the driver of the automobile? Is not the important thing the requirement that the man shall cross at the crossing and not between blocks?

Mr. LARSEN of Georgia. Does the gentleman know of anybody that was killed who was not killed on the crossing?

Mr. BEGG. I venture the assertion that most of the accidents occurred at places other than on the crossings.

Mr. LARSEN of Georgia. Give the facts. I do not want the gentleman to "venture the assertion." Give the facts. Name them.

Mr. BEGG. I saw one accident myself up on Florida avenue and Fourteenth street. The man was not killed, but was hurt by an automobile.

Mr. LARSEN of Georgia. Was he walking across the street at the crossing?

Mr. BEGG. No; he was walking across at some other place than the crossing. I think the gentleman will find that in other cities people walk across the street at the crossings, while here never.

Mr. LARSEN of Georgia. Pedestrians usually cross at the proper places. Does the gentleman drive a car?

Mr. BEGG. Yes; I have driven a car, and I never have hit anybody, but we may do it at any time.

Mr. LARSEN of Georgia. Maybe that affects the gentleman's judgment. I have to dodge for my life almost onto the sidewalk.

Mr. BEGG. Not if the gentleman will observe the traffic cop's orders and walk within the marked lines.

Mr. LARSEN of Georgia. The gentleman should know that is seldom the case. One woman was killed over here near the Capitol this week. Almost every time a Member of Congress crosses the white lines between the House Office Building and the Capitol he takes his life in his own hands. He usually runs great risk.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LARSEN of Georgia. Yes.

Mr. HUDSPETH. And the gentleman knows, if he drives a car, that he has to watch out for the reckless driver. That is where the danger lies.

Mr. LARSEN of Georgia. Yes; that is exactly the situation.

Mr. HUDSPETH. And bearing on the case of the old charwoman who was killed right on the crossing two or three days ago, if the party who was driving that automobile had been held up by a policeman that poor, old charwoman would not have lost her life; and yet she was where she had a right to be.

Mr. LARSEN of Georgia. Yes. And the press said not only that but that she was dragged a whole block and that the guilty party, having killed the poor, old negress, escaped. Not a policeman in the whole city of Washington to arrest him, yet he had miles to go to get out of the city. On the same day another old lady, 50 years old, was killed at another place by an automobile, and to show our gratitude we are asked to raise the salaries of the police force.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LARSEN of Georgia. Yes.

Mr. MOORE of Virginia. Has my friend ever investigated to find out how many police officers there are in this city in comparison with other cities? I think that is a matter which should be investigated. In Detroit some time ago they had the same sort of a situation which is complained of here, and what they did there was to increase the number of policemen and organize an efficient traffic squad. One difficulty here has been a shortage of men.

Mr. LARSEN of Georgia. I have never yet seen any department in Washington City that did not have plenty of employees. I think the great trouble is that they have too many, but I am not sure how many they have on the police force.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN of Georgia. Mr. Chairman, may I have just one minute more?

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. LARSEN of Georgia. In addition to those who were killed, there were quite a number of casualties which did not prove fatal.

For just a minute I want to speak in behalf of the women of this city. The great number of assaults that were made upon women in this city last year is enough to make the blood of every American citizen boil. To think that a negro, or a white man, either, can come here under the Dome of the Capitol and outrage the women of this land, and never arrested or punished, is a disgrace to the Nation. Gentlemen, that is a serious matter, and, so far as I am concerned, I want more than assurances when you talk about raising the salaries of our police force. I want a guaranty that the life and virtue of women at the Capital will be safe and sacred. That is a condition which does not exist now.

The CHAIRMAN. The time of the gentleman has again expired. The gentleman from Indiana [Mr. SANDERS] is recognized.

Mr. ZIHLMAN. Before the gentleman from Indiana proceeds, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

Mr. BLANTON. I would not ask that. The gentlemen have some things on their system which they want to get off, and I think we should let them do it. I would not try to limit them, and you will get along faster by it.

The CHAIRMAN. What is the request of the gentleman from Maryland?

Mr. ZIHLMAN. I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

Mr. STENGLE. Mr. Chairman, reserving the right to object, will the time be divided equally between those who favor the bill and those who oppose it?

The CHAIRMAN. The Chair will try to so divide it.

Mr. STENGLE. I hope the Chair will. Some of us would like to speak in favor of the bill and not hear from all those who oppose it.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STENGLE. Mr. Chairman, whom does the Chair recognize?

The CHAIRMAN. The Chair has recognized the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Chairman, I sought to find out from the members of the committee in general debate whether or not there is any limitation in the organic law as to the number of officers and privates on the police force. I do not know, because I have not examined it. If there is not, I think this bill, as they propose to amend it, is in order; but if there is a limitation, the bill does not accomplish anything, because it does not increase the number, although it proposes a law which creates a necessity for a great increase.

Mr. BLANTON. They have been increasing them as fast as the Congress, through the Appropriations Committee would give them the money. Therefore, I take it, the organic law makes no restriction, because the police force has been increased from time to time whenever the Appropriations Committee would grant the estimate made by the commissioners.

Mr. SANDERS of Indiana. I thank my friend from Texas. In 1917 there was this provision in the appropriation bill:

And the provision in the District of Columbia appropriation act for the fiscal year 1913, which provides: "After June 30, 1912, there shall be no appointments except by promotion," etc., "until the whole number of privates in all of said classes shall have been reduced to 640."

In 1913 there seems to have been a limitation placed on the appropriation bill which was in the nature of general law and was the same as if it were the organic law making the number of privates 640, and that seems to have been repealed by the appropriation act of 1917. I do not know whether there has been any change or not.

Mr. BLANTON. I will say to the gentleman that we had the inspector of the police department and of the fire department go over this bill, and the provisions of it were approved by them.

Mr. SANDERS of Indiana. And the amendments.

Mr. BLANTON. The various paragraphs of the bill and the amendments of the committee.

Mr. SANDERS of Indiana. Yes. The second section provides for additional officers and additional men, and that is stricken out by the committee amendment, so there is nothing in the bill except to raise the salaries of the different officers and of the different men and to provide that they shall have a rest one day in seven.

Mr. ZIHLMAN. I will state to the gentleman that the language stricken out in section 2 is existing law. Thirty-five is the number of lieutenant detectives now.

Mr. SANDERS of Indiana. That may be the number that is appropriated for and that is exactly what I am trying to find out. I think the gentleman from Texas [Mr. BLANTON] is accurate when he says there is no limitation.

Mr. BLANTON. I do not think so. It is dependent on the appropriation Congress gives them.

Mr. HAMMER. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes; I yield.

Mr. HAMMER. I simply wanted to say to the gentleman that there clearly would have to be more policemen appointed, because the provision providing for one day of rest in seven will necessarily require that and there will have to be an appropriation by Congress in a deficiency bill.

Mr. SANDERS of Indiana. There is no doubt about that, and we can provide for it when we come to the matter of appropriations. The thing I was driving at was whether you had any law to provide for your additional 139, and if there is no limitation you do not need any provision, but I notice the report says that for the police department the one-day rest in seven provision will require 139 additional privates of class I.

I am going to support this measure, Mr. Chairman, not because I have studied it carefully and know whether this is a just rate to be paid or not but because I am going to trust the District Committee, but this is a very great increase in pay.

It is substantially 10 per cent to the men themselves, and one day in seven means 14 per cent, which makes substantially a 25 per cent increase in the cost to the Government of paying these police officers. I take it the gentlemen who have reported this measure have investigated the question of the rest of one day in seven to police officers in other jurisdictions, and that this is a just measure, but I was rather surprised to find out that in this one measure there is practically a 25 per cent increase in the cost of the police force.

Mr. KELLER. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. KELLER. Some of us think it is not high enough, as the bill stands now, compared with other cities, so that it is not the maximum, in my judgment, that ought to have been provided.

Mr. SANDERS of Indiana. I think we should pay these police officers well, and I think the police officers in the city of Washington, in a general way, measure up to the high standard of the police officers of this country. They have their difficulties, of course.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLER. This is a compromise salary bill.

Mr. MOORE of Virginia. Mr. Chairman, may I ask the gentleman from Michigan a question?

Mr. McKEOWN and Mr. STENGLE rose.

The CHAIRMAN. Is the gentleman from Virginia opposed to the bill?

Mr. MOORE of Virginia. No, Mr. Chairman.

Mr. McKEOWN. I am opposed to the bill.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. McKEOWN. Gentlemen, I agree with the gentleman from Indiana that the police ought to be well paid; but, on the other hand, I am reminded when it comes to increasing salaries in this Congress of the great petition of the farmers of the United States brought here by the gentleman from Pennsylvania, in which the farmers asked that there be no more increases in salaries and that there be no more increases in the number of officers. It does seem to me that this could have gone on for at least another year, until the country has somewhat recovered, before we bring such an increase in here. I would be inclined to follow the gentleman from Texas [Mr. BLANTON], because he is a very safe and sound man to follow on the question of economy, but I do not think at this time you ought to bring increases in here. You have talked about the police force. It is a very dangerous business and is very dangerous work. I do not think the trouble in Washington is so much from the police force; I think the trouble comes from the fact that you do not have sufficient penalties to penalize and punish these people who have no regard for human life. There ought to be a statute in this city that any man who shows an abandoned disposition touching the matter of human life ought to be a felon and go to the penitentiary, and whenever you put some of these birds in the penitentiary you are going to have safer driving in Washington, and you are not going to have it until then. You talk about your policemen; the engineer who pulls a passenger train at midnight through the country has on every hand signals of danger. He has lights all along the way he goes to show him the danger, but the policeman going down through a back alley in the darkness of the night has nothing to show him the danger of the assassin or the burglar or the bootlegger; and, by the way, the bootlegger has become one of the most dangerous criminals in the country to-day. He has become an abandoned criminal. He cares not for human life and he is a dangerous element which the police have to deal with; but aside from that, gentlemen, what ought we to do in the city of Washington? What ought the Congress of the United States to do?

In my humble judgment, the Congress of the United States ought to give to the city of Washington a Territorial form of government at the earliest possible moment. They ought to have a Territorial form of government and the Congress of the United States ought to set aside the amount of money that goes to the city of Washington, and that ought to be all required of the Appropriations Committee. Then let the District of Columbia have a legislature, say, of 24 members in the house and 12 senators; let there be a governor appointed by the President of the United States; give them a Delegate in the House, and let the legislature levy its taxes and let it appropriate the money which Congress appropriates in bulk to them; and let them have their own government and not take up the time of the Congress here when we ought to be engaged in business for all the great cities of the country. The District gets one-thirteenth of the time of the United States Congress, and yet it constitutes only one two-hundred-and-fifteenth part of the population of the United States. Gentlemen, this is serious.

The District gets two days out of every month. The men on the Committee on the District of Columbia are the hardest-worked Members of the Congress, outside, probably, of the Committee on Appropriations. They have to wrestle with these matters that should be settled here in the District by the people themselves. The Congress ought to get rid of this unnecessary burden. It ought to reserve the right to disapprove any act that the legislature of the District of Columbia passed any time within two years. The statutes would be in force unless it is disapproved by such act of Congress. I think the time is here now when the Congress of the United States ought to act on this question. We have some of the best Members of this House whose time is taken up on matters of the District of Columbia, whose talents ought to be engaged in the great questions that are confronting the whole people; and I say to you that the personnel of that committee is as good as any committee we have in the House. They are now wrestling with the rent question here in the District of Columbia. I say that if you will turn these people over to a territorial form of government, give them a governor and a legislature and let them solve their own difficulties, they will be better solved and you will have less trouble.

Mr. STENGLE. Mr. Chairman, I have no intention of engaging in any heated discussion on this subject, but I felt after hearing some remarks made on the bill that it probably would not be amiss if I made a few observations. Let me say in the beginning that during the past six years I have actively participated in the making of more than 25,000 policemen in the largest city in this country. During that same period I have had to do with the promotion from grade to grade of the entire force, numbering 12,000 men. It is all right to talk about giving the vote to the District of Columbia, if that is the subject before us, but if I understand this bill it is merely and purely a question of giving to the policemen and firemen in this city a reasonable compensation upon which to exist while they undertake to perform their public duty.

I am sometimes amazed at the wonderful economy displayed by my colleagues who will argue here for two hours or more that we are giving these poor fellows too much money when only two weeks ago without ever looking into the details they were voting daily 50, 80, and 90 per cent increases for the supervisory officials in the Departments of the Interior, the Treasury, and the Post Office. If you want to be economists why not cut down the salaries of such men as those instead of taking from these men the measly salaries they draw in trying to get an honest and decent livelihood?

Mr. BLANTON. Will the gentleman yield?

Mr. STENGLE. I will yield gladly.

Mr. BLANTON. Does the gentleman think the gentleman from Indiana can charge up against the police and firemen's increase their day off in lieu of Sunday which everybody has?

Mr. STENGLE. He should not unless he charges for the day and a half of employees of the city and the Government and make that a part of the increase in the salary that we are proclaiming we are going to give them. It is customary, gentlemen, to give every man his day off for rest. It is nothing unusual to see a man in public service, with the exception of Members of Congress, have his day off for rest. We never get it here. But these men are entitled to it. The fact that a man gets run down on a public highway is an incident and not an argument in favor of or against the increase of salary for patrolmen who happen per se to be standing on the crossing. The whole question before us, as I understand it, is just this: Are we giving them too much, or are we giving them too little? I say to you, based on an experience that is greater than any of those I have heard here on the floor, that \$2,100 as a maximum for a patrolman in this District is entirely too small, as compared with \$1,200 in the smaller cities. We give \$2,500 in the city of New York, and give them time off and we do not cry about it.

Mr. SPROUL of Illinois. Will the gentleman yield?

Mr. STENGLE. Gladly.

Mr. SPROUL of Illinois. I have here a table showing the average pay of patrolmen in 98 cities in the United States, and the average is \$2,376.

Mr. STENGLE. We pay the street cleaners more in New York City than you pay your patrolmen in the city of Washington.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired, and the question is on the committee amendments to section 1.

The question was taken, and the committee amendments to section 1 were agreed to.

Mr. KUNZ. Mr. Chairman, I make a motion to recommit the bill.

Mr. SANDERS of Indiana. The gentleman can not make that motion in the Committee of the Whole.

Mr. LARSEN of Georgia. Mr. Chairman, is not that the same as moving to strike out the enacting clause?

Mr. KUNZ. I do not care to move to strike out the enacting clause. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, this bill, while I am not opposing it, I believe in raising the salaries of these men who are on the police force in Washington. But so far as the citizens of Washington are concerned, it gives to them no protection. This bill does not increase the number of men; it simply increases the salaries. What we need in Washington is more protection with uniformed policemen. When you drive along the streets of Washington, you know very well that you are liable to find somebody coming along at a rate of 30 or 40 miles an hour, and unless you are very careful you are going to have some one run into you. If we had policemen enough to protect the people of Washington, you would have them in uniform and they would be a prevention of crime; they would prevent accidents. It is too late after some one has been injured.

The CHAIRMAN. The Chair is reminded that the time for debate was limited and exhausted.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may finish his five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. KUNZ. The trouble is that while this is District of Columbia day, Members have had so much poison injected into their systems with other matters that their minds are not in position to properly discuss this subject. We have men on the District Committee who come and talk about economy, never taking into consideration the fact that conditions are different here, that requirements are different. They are reading into the Record letters and telegrams in order to apprise their constituents of how busy they are in economizing for the great Government of the United States. We have men who have come here and know nothing about city life—they come from the State of Texas, and might make good farmers, might make good country lawyers, but so far as running a city like Washington they have not the remotest idea of it. I want to call attention to the fact that in this bill an increase has been made to these men, and I believe justly so. The man who rides a horse has his salary decreased because some gentleman wants to economize and show to the people of his district that he was here and objected to the people of this country paying to support Washington and Washingtonians. What we need is more money for protection. If this Congress would appropriate more money for more men, you would have better protection and you would have less accidents on the streets in the city of Washington.

Mr. STENGLE. Mr. Chairman, will the gentleman yield?

Mr. KUNZ. Yes.

Mr. STENGLE. I notice the chairman of the Committee on Appropriations is here. Will the gentleman kindly address those remarks to him?

Mr. KUNZ. The chairman of the Committee on Appropriations, who formerly served in the city council of the city of Chicago, well knows the condition of Washington, far better than a number of men who are now here trying to economize, and I know that the gentleman who presides as the chairman of the Committee on Appropriations is willing to do for Washington what he did for Chicago when he was chairman of the finance committee of the common council of that city. He understands the condition, and, as I said before, you have men who are penny-wise and pound-foolish, who are all the time objecting to and opposing appropriations which ought to be made in the interest of this great city. If these gentlemen will only take more interest and save more time by less talk, filling the CONGRESSIONAL RECORD, there would be a greater saving and more good done for the people of the country. [Applause.]

The Clerk read as follows:

SEC. 2. In addition to the officers now authorized by law, the Metropolitan police force shall consist of 35 lieutenant detectives, to be appointed by the Commissioners of the District of Columbia, in lieu of the 35 privates now authorized to be detailed to detective headquarters for special service in the detection and prevention of crime. Any of the privates so detailed at the time this act takes effect may be so appointed without examination.

With the following committee amendment:

Strike out all of section 2.

Mr. BLANTON. Mr. Chairman, I rise in favor of the committee amendment. Our colleague from Illinois [Mr. Kunz] has taken a most ridiculous position upon the floor of the House. When there was nothing before the committee except to begin reading another part of the bill; when the committee had agreed upon the former section and was ready to do something else, he took up five minutes of our time in an attempt to give this committee a lecture about wasting the time of the committee in windbagging and about how little some people knew about things. I want him to read over his remarks in the morning when they appear in the RECORD if he lets them go in, and he will see just how much enlightenment he gave us. I noticed that he mentioned the State of Texas. I hail from that great State; and in connection with that he spoke in derision of the economy of reducing the extra allowance for a policeman who kept a horse to \$450. The idea of such a thing! Some men could get rich stabling horses at \$450 each. The gentleman from Illinois has thoroughbred horses. He imagines that it costs a policeman as much to barn a police horse here as it does him to take care of those fine horses of his in Chicago.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. HUDSPETH. Perhaps the gentleman from Illinois is not particularly friendly to the great State of Texas on account of the fact that a gentleman from that State—I think from the gentleman's own district—broke up the sale of gold bricks in the city of Chicago, and there were three citizens less in that city after he left there.

Mr. BLANTON. Yes; and that is what is probably disturbing his equanimity. My colleague refers to the incident when a horseman from west Texas went to Chicago and they tried to sell him the usual gold brick. But at the same time he handed them his \$5,000 he picked up the real brick of gold and would not let them take it off to wrap it up and thus make the exchange for something worthless, and when they assaulted him there were three less gold-brick sellers in Chicago; and a Chicago jury cleared the Texan of wrongdoing.

Mr. HUDSPETH. He still remembers that incident?

Mr. BLANTON. Yes. Show me a man who knows anything much about horses and about maintaining them who would claim that a man should be allowed more than \$450 a year for maintaining one. That is what the committee cuts that down to. A larger amount was expected of your committee, and we thought that \$450 was sufficient to maintain a policeman's horse.

If you will confer with your constituents who keep horses, even in livery stables, you will find that it can be done within that sum. There is nothing picayune about it, nor extravagant. We allowed what we thought was a fair allowance for maintaining a horse in the District, and I want to say to the gentleman that all of these policemen who are mounted have barns on their premises in the outskirts of the city where they keep their horses.

Mr. KUNZ. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; certainly I yield to my friend from Chicago.

Mr. KUNZ. Is it not a fact that the committee reduced the keep of a horse under what was allowed last year?

Mr. BLANTON. I think they were allowed \$480 last year. They asked \$540, and we reduced it to \$450.

Mr. KUNZ. So that the policeman gets \$30 less this year than last?

Mr. BLANTON. Yes. The committee thought \$450 was enough to keep a horse.

Mr. KUNZ. But feed is not any cheaper than it was last year.

Mr. BLANTON. Oh, but we paid them too much last year; these policemen do not feed their horses as the gentleman from Chicago does his thoroughbreds, and when they ship one of them they do not ride in palace cars, as do the horses of the gentleman from Illinois, and they do not have a special man in care of them, as do the horses of the gentleman from Illinois. And they are not specially blanketed as his are. The gentleman has an idea about only one specific thing, and the committee has general ideas about a whole combination of things. The committee is looking at the matter from the standpoint of the interest of the American people and not from the viewpoint of thoroughbred-horse fanciers in Chicago. I hope the distinguished gentleman will study up on this question before he again endeavors to lecture the members of the committee who worked hard on this bill.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto do now close.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the annual basic salaries of the officers and members of the fire department of the District of Columbia shall be as follows: Chief engineer, \$5,200; deputy chief engineers, \$3,500 each; battalion chief engineers, \$3,050 each; fire marshal, \$3,250; deputy fire marshal, \$2,500; inspectors, \$2,000 each; captains, \$2,500 each; lieutenants, \$2,350 each; sergeants, \$2,200 each; superintendent of machinery, \$3,250; assistant superintendent of machinery, \$2,500; pilots, \$2,250 each; marine engineers, \$2,250 each; assistant marine engineers, \$2,150 each; marine firemen, \$1,800 each; privates of class 3, \$2,000 each; privates of class 2, \$1,900 each; privates of class 1, \$1,800 each.

With the following committee amendments:

Page 3, line 11, strike out the figure "3" and insert the figure "2."

Page 3, line 21, strike out "\$2,000" and insert "\$2,100."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. McSWEENEY rose.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that debate upon this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McSWEENEY. Mr. Chairman and gentlemen of the committee, the gentleman from Illinois [Mr. Kunz] has spoken about extravagance in expenditures. I am greatly in favor of tax reduction and of reducing all of the expenditures of Government, but I do believe a sharp distinction must be drawn as between expenditures which are foolish and those that might be classed as good, sound investments. I feel there are no men in civil life who so jeopardize themselves as the firemen and policemen of a community. As a member of my own local volunteer fire department, I realize as my community grows that there are added difficulties for these men. I feel it to be a real investment to do something to provide better men, better equipment, and to let them have a standard of living that every other group has. We all realize that the basis of pay has been generally fixed according to the hazard of the work in which men are engaged.

You realize that back in the old days, when James B. Eads built the bridge across the Mississippi River, the men who were engaged in that work were allowed \$6 or \$8 per hour because they were subjected to great danger and difficulty. That was back in the old days when the present modern high wages were unknown. Now, we know that the man in the police department or in the fire department is subjected to difficulties, and yet he receives a relatively low rate of wages. Nowadays the firemen have to protect higher buildings and larger structures, and the larger the structures are the greater the danger. These men in the fire department and in the police department who are now asking for an increase of wages are the ones that should be considered. The policemen, as the city of Washington grows, have increased difficulties and increased labor to perform. Traffic is increasing, and these men have to watch over the safety of the citizens.

We realize that with every law that is passed to protect the citizens greater difficulty arises for these men who have charge of its enforcement. Therefore I am in favor of regarding this not as an expenditure but as an investment, and I am in favor of giving these men who are serving this community, which is the National Capital of America, some increase, and allow them to have the compensation that men should have in hazardous occupations.

We realize that the miner is a man of that type who is subjecting himself to dangers, and he should be paid accordingly, and the same is true with respect to the locomotive engineers, and that they should be paid more than the ordinary man in the quiet pursuits of life; and therefore I favor this bill and shall ardently support it, and I hope that we shall be able to give these men better opportunities for themselves and families, and I am sure that they will deserve it. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MADDEN. Mr. Chairman, I want to speak on this bill, and I may wander a little in doing so. I was in some doubt in the beginning as to whether the provision of this bill which gives Sunday, or a day off in the week in lieu of service, was the proper thing to be done, but I find on some investigation

that it is becoming the practice all over the United States. It has been the policy in the city from which I come for a long while, and I understand that as a result of that it is altogether likely that you will get a better class of men; at any rate you will do more justice to whatever class of men you get.

I do not think the wages proposed are higher perhaps than they ought to be under existing circumstances, so that I shall very cheerfully support the bill.

For one I was sorry not to have been here to speak on the question of inspectors. I do not think there should be any differentiation in the pay granted to inspectors. I think all inspectors should be paid alike. I notice that this bill provides that one inspector, while serving as head of the detective service, shall be given the rank of assistant superintendent and \$250 additional pay. I do not think the work of an inspector of the detective service is any more important than the work of inspectors of other services. It may be, but I doubt it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. He is in charge of 30 men under him, and he is responsible for what they do. Does not the gentleman think we should pay \$250 extra to him?

Mr. MADDEN. Well, the other inspectors also have men under them, and they are responsible for them.

Mr. ZIHLMAN. You recognize the difference in the service?

Mr. MADDEN. Yes; I recognize what the difference in the service is, but I do not see any difference in the importance of the service. I do not think it requires a man to be a greater genius as inspector in the detective service than in the traffic service or any other service. In fact, I think the man in charge of the traffic service has a much more arduous job than the other man. He does not deal with the same class of cases, it is true.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. We pay the distinguished gentleman from Illinois \$7,500 a year—

Mr. MADDEN. Yes; \$150 a week—

Mr. BLANTON. And that is about one-fourth of what the gentleman could make at home—

Mr. MADDEN. About one-tenth—

Mr. BLANTON. But the man who presides over the gentleman, the man who presides over the House, the Speaker, receives \$12,000, or \$4,500 more, because he is the supervising officer.

Mr. MADDEN. But the inspector of the detective service has jurisdiction over only a certain branch of the police work. If you are going to call one branch of the police work more important than any other, it is all right. But you are simply giving to Mr. Grant an increase of pay because his name is Grant or because he presides over the detective service. I do not know which it is.

Mr. ZIHLMAN. The committee looked upon the detective force of the District of Columbia as the most important branch of the work in the city. The members of the detective force are all selected, and the sergeants and other officers are given a little increase over the other policemen. The privates get \$60 a year more.

Mr. BLANTON. They are sergeants. It is not because they are privates but sergeants. They are detective sergeants.

Mr. ZIHLMAN. They can be sent back at any time.

Mr. MADDEN. Yes. Then they will be demoted when that is done. But whatever the committee did, I suppose, is wise, and I will not controvert that.

Mr. LARSEN of Georgia. I understood the gentleman to say that he would support the bill and that the salaries were satisfactory.

Mr. MADDEN. I say they are not exorbitant.

Mr. LARSEN of Georgia. The raises are about from 10 to 25 per cent.

Mr. MADDEN. Yes; it is about 25 per cent increase in cost, because of the fact that they are given one day a week off.

Mr. LARSEN of Georgia. There is a bill drawn to increase the compensation of the employees of the House. I understand that increase will be about 5 per cent. Why not give the House employees an increase commensurate with these employees of the city?

Mr. MADDEN. What the House authorized the gentleman from Illinois, and those associated with him, to do was to reclassify the salaries in accordance with the reclassification act, and we are carrying out the instructions of the House. If the House does not agree with us when we report, the gentleman knows what it can do.

The CHAIRMAN. All time has expired. The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

Sec. 4. That in lieu of Sunday there shall be granted to the Metropolitan police and to each officer and member of the fire department of the District of Columbia one day off out of each week of seven days, which shall be in addition to his annual leave and sick leave now allowed by law; *Provided, however,* That whenever the Commissioners of the District of Columbia declare that an emergency exists of such a character as to require the continuous service of all the members of the Metropolitan police force, the major and superintendent of police shall have authority, and it shall be his duty, to suspend and discontinue the granting of the said one day off in seven during the continuation of such emergency.

With the following committee amendments:

Page 2, line 23, strike out the figure "4" and insert the figure "3."

Page 4, line 6, after the word "force" insert the words "and the members of the fire department."

Page 4, line 8, after the word "police" insert the words "and the chief engineer of the fire department."

Page 4, line 9, strike out the word "his" and insert the word "their."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The question was taken, and the committee amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 5. That the salaries herein provided for shall be payable on and after July 1, 1924.

With the following committee amendment:

Page 4, line 12, strike out the figure "5" and insert the figure "4."

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. ZIHLMAN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHANDLER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 5855) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ZIHLMAN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BLANTON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MUSCLE SHOALS.

Mr. SNELL. Mr. Speaker, I desire to present a privileged report from the Committee on Rules on House Resolution 169 for printing under the rule.

The SPEAKER. The Clerk will report the resolution by title.

The Clerk read as follows:

House Resolution 169, for the immediate consideration of the bill H. R. 518.

The SPEAKER. Referred to the House Calendar and ordered to be printed.

The resolution is as follows:

House Resolution 169.

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R.

518. That after general debate, which shall be confined to the bill and shall continue not to exceed 10 hours, to be equally divided and controlled by the acting chairman and some member of the Military Affairs Committee opposed to this bill, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall arise and report the bill to the House, with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion, except one motion to recommit.

#### PREVENTION OF VENEREAL DISEASES IN THE DISTRICT OF COLUMBIA.

Mr. ZIHLMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes. Pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 30 minutes, one half to be controlled by the gentleman from Texas [Mr. BLANTON] and the other half by myself.

The SPEAKER. The gentleman from Maryland asks unanimous consent that general debate be limited to 30 minutes, one half to be controlled by himself and the other half to be controlled by the gentleman from Texas [Mr. BLANTON]. Is there objection? [After a pause.] The Chair hears none.

The question now is on the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes.

The question was taken, and the motion was agreed to.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 491, which the Clerk will report.

The Clerk read as follows:

H. R. 491. For the prevention of venereal diseases in the District of Columbia, and for other purposes.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ZIHLMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. GILBERT].

Mr. BLANTON. Mr. Chairman, I yield the gentleman from Kentucky 15 minutes.

The CHAIRMAN. The gentleman from Kentucky [Mr. GILBERT] is recognized for 30 minutes.

Mr. GILBERT. Mr. Chairman and gentlemen of the committee, before confining myself exclusively to the consideration of this bill I want to make a few observations upon the attitude of the membership of the House toward business presented to it by the District Committee and toward the District itself, especially as so many observations have been made along those lines in the debate on the previous bill.

I consider the personnel of this committee as high as that of any committee in this House when the purposes for which it is created are taken into consideration, and yet I regret to say that whenever any business is presented to this House by the District Committee most of the Members of the House immediately leave, and the business is subjected to criticism and facelessness by those who remain.

A few moments ago some gentleman made the remark that he would follow the membership of this committee, and that was the first time I had ever heard such an indulgence presented and I was very much impressed by it.

Now, for the benefit of the House I will run over the membership of this committee. I desire to discuss the personnel of this committee.

The chairman of this committee is the gentleman from West Virginia [Mr. REED], who was formerly State senator and secretary of state of West Virginia, and who in his State was prominent in educational work. He was a member of the International tax conference in 1909, and he has for seven years been active in District legislation.

The acting chairman of this committee is the gentleman from Maryland [Mr. ZIHLMAN], who was former president of

the Maryland State Federation of Labor, active in manufacturing and real estate. He was formerly the leader of the senate of his State, and he has been active in District legislation for five years.

The gentleman from Wisconsin [Mr. LAMPERT] is an active business man and has been active in District of Columbia legislation for seven years.

The gentleman from Minnesota [Mr. KELLER] was former commissioner of the city of St. Paul, has been active in the administration of city affairs there for several years, especially that phase of it dealing with public utilities. He has been active in legislation for the District of Columbia.

The gentleman from Massachusetts [Mr. UNDERHILL] was a member of the Massachusetts Legislature for 10 years; is a manufacturer by business, has been in close touch with the city administration of Boston, and active in District affairs since a Member of Congress.

The gentleman from Ohio [Mr. FITZGERALD] is a lawyer, war veteran, officer, and has been active in city affairs of the city of Dayton, in war veterans' associations, and District legislation since a Member of Congress.

The gentleman from Michigan [Mr. McLEOD] is a lawyer, war veteran, former officer, and active in the city administration of the great city of Detroit.

The gentleman from Vermont [Mr. GIBSON] is a lawyer, former president of the State Senate of Vermont, war veteran, and banker.

The gentleman from Pennsylvania [Mr. BEERS] is a lawyer and has been actively interested in banking and agriculture.

The gentleman from Illinois [Mr. RATHBONE] is a lawyer, a former resident of this District, and now a Congressman at large from the State of Illinois. He has been an active participant in the State and city administrations of his State and city, and has a splendid knowledge of the civic administration of Chicago.

The gentleman from New York [Mr. STALKER] is a banker, a manufacturer, and has been active in business affairs.

The gentleman from New York [Mr. SULLIVAN] is a resident of New York City; engaged in the real-estate business; has been active in the State senate of New York, especially in corporation legislation, public health, labor, and industry.

The gentleman from Texas [Mr. BLANTON] is a lawyer, has been on the bench, and has been active in District matters since being in Congress.

The gentleman from Kentucky [Mr. GILBERT] was on the bench eight years before coming to Congress.

The gentleman from North Carolina [Mr. HAMMER] is a lawyer, active in educational affairs, former United States attorney, and has been active in District legislation since being in Congress.

The gentleman from New Jersey [Mr. O'BRIEN] is a lawyer and judge, active, and acquainted with civic administration in Hudson County, N. J.

The gentleman from Illinois [Mr. KUNZ] is a resident of Chicago, has been actively identified with the city administration of that great city, and interested in District legislation since being in Congress.

The gentleman from Missouri [Mr. JOST] is a former mayor of the great municipality of Kansas City and a lawyer by profession.

The gentleman from South Carolina [Mr. GASQUE] has been active in educational affairs of his community, county superintendent of education, president of State Teachers and State County Superintendents' Association.

The gentleman from Pennsylvania [Mr. KENT] has been active in municipalities as attorney and counsel for municipalities in his State.

I run over this list for the purpose of assuring this House that for the purpose of civic administration I do not believe, former training and environment considered, the membership of this House could have been bettered in its selection than the committee that has been selected. So that I do not believe that the indifference which this House seems to pay to matters coming from the District Committee and concerning the District itself is directed at the personnel of that committee.

Mr. LARSEN of Georgia. Will the gentleman yield for a question?

Mr. GILBERT. Yes, sir.

Mr. LARSEN of Georgia. I have been very much interested in the history of the personnel of this committee which the gentlemen has given, but I would like to ask the gentleman this question: Is the record of these gentlemen, as disclosed by the Congressional Directory that the gentleman took this from, better or worse than the other Members of Congress? It is about the average, is it not?

Mr. GILBERT. Yes, I should say so; but I am pointing out that their former acquaintance with civic affairs and their training before coming to Congress fitted them peculiarly for their service on this committee.

Mr. LARSEN of Georgia. In point of fact, does the gentleman think there is a single Member of Congress who prior to coming to this House has not had equal experience?

Mr. GILBERT. I of course can not judge of that.

Mr. LARSEN of Georgia. Does not the gentleman think they are all qualified? Does the gentleman think there is a Member in the Congress, with the possible exception of the gentleman from Georgia, whose experience prior to coming to Congress is not such that he ought to be qualified to fill the position of a member of the city council of Washington?

Mr. GILBERT. I have the highest regard for the gentleman from Georgia and, of course, nothing I said was intended or could be construed as a reflection on the gentleman from Georgia.

Mr. LARSEN of Georgia. I did not so take it, but I am speaking of the general membership of the House. Is not that true?

Mr. GILBERT. Yes; and I repeat that this committee, as compared with the general membership of the House, is entitled to consideration on matters presented by it to this Congress concerning the District of Columbia.

It is not a pleasant committee to serve upon. By being in proximity with the people for whom we are dealing, we are subject to importunities, and it is unquestionably one of the disagreeable committees to serve upon. I heard a Member of this House say the other day that a Member was entitled to sympathy who got on the District Committee, but if he stayed on it he deserved only censure.

The attitude of Congress to the District itself, in my opinion, is too often treated as the gentleman from Georgia, perhaps, showed a disposition to-day to treat the District and its matters, instead of being in the attitude of considering it a ward of Congress, treating it in a hostile attitude. I have heard from time to time Members rise on this floor and anything affecting the District or the District's welfare would be treated as if it were in opposition to the general conduct of the country itself.

Mr. LANKFORD. Will the gentleman yield?

Mr. GILBERT. Yes.

Mr. LANKFORD. Does not the gentleman think that that condition really exists because the District of Columbia and the people of the District of Columbia insist more on securing appropriations than they do on giving real service in the way of law enforcement and protecting the lives of the Members of Congress and those who come here to live.

Mr. GILBERT. I will say to the gentleman that for over a century and a quarter, ever since the Constitution was adopted, the District of Columbia has been the ward of Congress, subject to its exclusive control, and if there is any wrong existing in the District of Columbia, Congress itself is to blame.

Mr. LANKFORD. Does not the gentleman see more in the newspapers urging appropriations than the gentleman sees in the papers urging law enforcement and the protection of the rights of the people living here?

Mr. GILBERT. Oh, it is, of course, human nature to want all they can get, and it is the duty of the gentleman who has just taken his seat, and all other gentlemen, to protect the country; and it is also their duty at the same time to realize that this is their city.

It was the dream of Washington, of Jefferson, and of the framers of the Constitution that this city should grow up not only the center of beauty but the center of wealth, refinement, culture, education, and art; and I am informed by the gentleman who is the chairman of the Library Committee [Mr. LUCE], a gentleman in position to know, that there are to-day in Washington, making their homes here, more scientific men than in any other city in the world; and Congress, while dealing fairly with the country at large, should, I feel, be imbued with those same ideals that were fostered by the founders of this Republic when they set aside this District not as a city for the people of Washington to live in so much but as the home of the President, the home of Congress, and the official home of 110,000,000 of people and not alone of the 437,000 people who live within its borders.

Mr. SANDERS of Indiana and Mr. LANKFORD rose.

Mr. GILBERT. I yield to the gentleman from Indiana.

Mr. SANDERS of Indiana. I do not want to interfere with the gentleman's trend of thought, but does the gentleman intend a little later to come to a discussion of the bill itself, because I want to ask some questions about that?

Mr. GILBERT. Yes; right now.

Mr. LANKFORD. Will the gentleman yield?

Mr. GILBERT. Yes.

Mr. LANKFORD. Does not the gentleman think the very fact that Washington and our forefathers had such a lofty ideal for the city of Washington authorizes us to now beg for and plead for the enforcement of law in the District of Columbia and for a better observance of the rights of the people living here?

Mr. GILBERT. To get to a discussion of this particular bill, if there is any legislation that is needed, according to the opinion of military and medical circles, it is the bill before you. Within the last few years the people have realized that venereal disease is more prevalent than tuberculosis. It is more insidious than cancer. As a result, practically every State in the United States has passed a bill similar to but not identical with the bill we have before us.

Mr. SANDERS of Indiana. That is what I want to ask about. I have read the provisions of the bill and it seems to me they are unusually drastic. I note the statement in the report that a number of the States have adopted laws, and I wondered if any State had adopted a law which had the provisions of this law which gives the right to the health officer to examine any individual person and see whether he is afflicted with the disease.

Mr. GILBERT. I will come to the suggestion of the gentleman from Indiana and say, not only yes, but more drastic than is provided by this bill. When our boys were inducted into the service of the United States it is astounding to know that between 27 and 28 per cent were afflicted with a venereal disease to a distinguishable extent. That of itself shows the necessity for this legislation. We had several bills presented and chief among them was the bill presented by the gentleman from California [Mr. RAKER]. It was on the discussion of that bill that this bill was produced. I am not the champion of this character of legislation. We realized that we were going far contrary to the liberties and privacies of people in legislation of this kind by reason of the fact that this disease is different from diseases of general contagion and infection; but we did not go so far as many of the laws of the other States provide.

The bill of the gentleman from California was similar to most of the laws in operation in various States, but the committee thought that while a man had no compunction in informing the authorities that he was afflicted with a contagious disease and seeking its prevention or cure, such as typhoid or diphtheria, that this character of disease carried with it a condition of odium. No sensible man will report to any health authorities that he is afflicted with venereal disease, because, as I say, it immediately subjects him to the suspicion of immorality. So it is to be dealt with very carefully and frequently the very privacies of people, in order to get effective legislation, have to be invaded.

I assure the gentleman from Indiana and the members of the committee that this bill goes into that matter more delicately and to less extent than any bill that I have seen from any State in the Union, and I have examined most of them.

Mr. SANDERS of Indiana. I call attention particularly to section 5, which provides that it shall be the duty of the health officer or some physician authorized to practice medicine in the District of Columbia when directed by the health officer to make examination of persons whom the health officer believes and has reasonable grounds to believe is afflicted with these diseases. He does that regardless of what the person may say. He can not make the examination over the objection of the person, but if he does object the officer can file an affidavit that he believes it and have a trial on the question of examination. It seems to me that that is pretty strong law.

Mr. GILBERT. Other States in the Union go further than that and provide that if the health officer on information believes that a person is so afflicted, they can be examined then and there. In order to prevent the health officer from unduly interfering with the rights of an individual, we provide that he can not make the examination until he appears before the court and has a rule showing cause for the party to appear, and then they must appear. The purpose of that is to insure that the health officer will not make a frivolous and fictitious complaint. The law is that if the person in good faith does not believe he has venereal disease, he can on a writ of habeas corpus require the reasonable grounds to be submitted to the court itself. To that extent this bill is less drastic than other States. These laws have been upheld as to their constitutionality and have been found necessary by the court in the regulation of public health. The constitutionality of the law has been upheld in many cases, three of which I have before me. There is one in the One hundred and eightieth Pacific Reporter, page 644; there is one in the State of California; one

case from Oklahoma; one from Texas, that I have here. In fact, gentlemen, realizing the seriousness of this matter I have reports upholding the constitutionality of every clause in this bill.

Under the Raker bill, which is similar to the laws of most States of the Union, when one goes to the drug store for medicine for this disease he must give his name and address for a record to the druggist whereby the drug store will have the record that this person is so afflicted. In this bill we tried to provide so strongly for the rights of the individual that his misfortune can not be made public unless he has violated the rules of the health officer or his own physician in charge.

Mr. LARSEN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. Yes.

Mr. LARSEN of Georgia. It is provided in section 3 as follows:

Sec. 3. That the report herein required shall state in writing the disease from which the person is suffering, his name, age, sex, color, occupation, marital state, and address.

Mr. SANDERS of Indiana. And also on the top of page 3 there is the same requirement.

Mr. LARSEN of Georgia. It seems to me that you are exposing a man instead of protecting him.

Mr. GILBERT. But the gentleman overlooks where that health report is. That is not in a drug store, but that is in the health department, and then not in there until he has first violated the regulations of the department itself, or of his own family physician. Under the other bills and the laws prevalent in most of the States of the Union that becomes a public record, whether he is guilty of any misconduct or not. Under the provisions of this bill that can not be recorded, and that report is not sent in until he has first violated the instructions of the health officers.

Mr. LARSEN of Georgia. Let me then ask this question: In the first section it is provided that the chief administrative officer of every penal institution "in which or in attendance upon which there is a person having syphilis," and so forth. That appears to me as I understand the language that he may report anybody who might happen to be even in attendance there as a witness. What does the gentleman mean by that language?

Mr. GILBERT. The gentleman brings out the provisions of the bill by his questions.

Mr. LARSEN of Georgia. It may include somebody who just simply happened to be attending there.

Mr. GILBERT. While the statement I just made, that he must first violate some regulations provided for his own protection, applies to practically all of the population, this bill necessarily makes an exception of those already in some penal institution. Let me read the provision:

That every chief administrative officer of every penal institution in which or in attendance upon which there is a person having syphilis, gonorrhea, or chancroid shall immediately upon becoming aware of that fact report the circumstances to the health officer as hereinafter provided.

It was my thought, whether it meets with the opinion of this committee or not, that a person already in some penal institution would not be seriously affected if it developed that he was at the same time suffering from some venereal disease, and that became necessary by reason of an incident which happened in this very town. It appears from the police court record in this town that many soldiers were infected at the same place. The proof showed that they had become infected with this venereal disease by going to the same house, and although the authorities knew where it was they were helpless to take any steps to prevent its spread.

Mr. LARSEN of Georgia. Do I understand from what the gentleman says that there is a bawdy house maintained in the city of Washington? Why, I thought they were abolished years ago.

Mr. GILBERT. I mean to say only that the proof showed that these soldiers had gone to one house and had become infected with this disease. The gentleman can draw his own deduction in respect to the character of this house.

Mr. LARSEN of Georgia. Does the gentleman not think that the provisions of this bill are such that it will be used to humiliate people and actually interfere with domestic relations? Suppose a man's wife should get the notion that he is unfaithful. Under the provisions of this bill she could go out and report him and say to the police, "I want you to take my husband out in the alley and examine him." Is not that possible under the provisions of this bill?

Mr. GILBERT. I say that the gentleman is totally ignorant of the provisions of this bill.

Mr. LARSEN of Georgia. I would like to have the gentleman convince me that he was not also ignorant as to its effect in the introduction of it, and discuss it so that he can enlighten me if that is not a sensible deduction to draw from it. Will the gentleman show me that is not possible? I know that I am very ignorant, but I think I compare favorably with the gentleman from Kentucky.

Mr. GILBERT. Oh, the gentleman is not ignorant; he is of very high standing; but I say and repeat that he is ignorant of the provisions of this bill, and I confine that statement simply to the provisions of the bill.

Mr. LARSEN of Georgia. Is not that possible under the provisions of the bill?

Mr. GILBERT. It is not.

Mr. LARSEN of Georgia. Why?

Mr. GILBERT. Because if the gentleman will turn to section 5 he will see that it is not. First let me point out to the gentleman from Georgia that if he had any knowledge about legislation on venereal diseases—

Mr. LARSEN of Georgia. Oh, let us not talk so much of my lack of knowledge.

Mr. GILBERT. I decline to yield further to the gentleman from Georgia.

Mr. LARSEN of Georgia. The gentleman will find it is a little more pleasant if he will simply answer the question.

Mr. GILBERT. Legislation provided in all of the States of the Union is subject to the criticism of the gentleman from Georgia. The Raker bill introduced here does so provide, and for fear that somebody might use this to have some employee even of the board of health, which the Raker bill provides, make this examination, for fear that some police officer, as suggested by the gentleman from Georgia, might have some ulterior motive in examining somebody, or some member of the health department might not act in good faith, I have provided by section 5 of the bill, which protects the individual more than the law of any State of the Union, that it shall be the duty of the chief health officer—not even of an employee—to make this examination, and no law of the United States on this subject gives that much protection. Nobody, not even in the health department, can make this examination except the health officer, and who else? Some employee or policeman or agent or governmental clerk? Oh, no. It must be some physician authorized to practice medicine in the District of Columbia and directed by the health officer.

Mr. LARSEN of Georgia. He has the examination just the same.

Mr. GILBERT. The health officer and some physician directed by the health officer alone has this in charge.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That every chief administrative officer of every penal institution in which or in attendance upon which there is a person having syphilis, gonorrhea, or chancroid shall immediately upon becoming aware of that fact report the circumstances to the health officer as hereinafter provided.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out the enacting clause.

The CHAIRMAN. The gentleman from Indiana moves to strike out the enacting clause.

Mr. SANDERS of Indiana. Mr. Chairman, I would not make this motion to strike out the enacting clause were I not satisfied in my own mind that this bill not only ought not to pass in its present form, but that it can not be made in Committee of the Whole into such a bill as we should pass. I say that with great respect for the distinguished gentleman who is the author of the bill, who has made a study of this question and is earnest in his desire to cure a great evil in the District.

May I have unanimous consent for 10 minutes on this?

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for 10 minutes.

Mr. BLANTON. With the understanding, of course, that I shall desire about five or six minutes to answer the gentleman.

Mr. SANDERS of Indiana. The gentleman is entitled to it.

The CHAIRMAN. It can not be done without unanimous consent.

Mr. BLANTON. I shall want at least five minutes to answer the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. LARSEN of Georgia. Reserving the right to object, Mr. Chairman, what is the request?

The CHAIRMAN. That he may proceed for 10 minutes.

Mr. LARSEN of Georgia. I am in favor of that, but I would like to make the suggestion, Mr. Chairman, that there ought to be a little more time allowed under the rule.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana that he shall have 10 minutes?

There was no objection.

Mr. SANDERS of Indiana. I would like to have the attention of the committee while I make an analysis of this bill. There are parts of it which are absolutely out of keeping with good legislation.

Section 2 provides that when any person is brought before the judge of the juvenile court or a judge of any court for trial and investigation and the judge believes or has reasonable ground to believe that any such person is afflicted with syphilis, gonorrhea, or chancroid, he shall immediately report said fact to the health officer. If the person is brought before the judge for drunkenness, the judge immediately reports to the health officer that he believes the person is afflicted with one of these venereal diseases, and the report shall give his name. Then the health officer "shall use every available means to ascertain the existence of and to investigate all cases of syphilis, gonorrhea, or chancroid of which they have or may receive information and to ascertain the sources of such infection."

That is the provision of section 4. Then section 5 provides that it shall be the duty of the health officer or some other physician to make examination of all persons who the health officer believes or has reasonable ground to believe is afflicted with any of these diseases, but it says the examination can not be made if the person objects, unless he has an order of court.

You might think they would have a right of trial. But section 6 provides that whenever a person suspected refuses to submit to said examination it is the duty of the health officer to file an affidavit before any judge of the police court or the judge of any court having criminal jurisdiction. Thereupon the judge, without trial or any hearing whatever, shall issue an order and name the time and the place, and the person must appear and be examined or be punished for contempt.

Mr. LARSEN of Georgia. Section 3, if I understand that section, means when he comes before this judge here the report is made down to the Public Health Service, he giving his name, occupation, and age, and everything else?

Mr. SANDERS of Indiana. Yes. That first part refers to persons in penal institutions or persons convicted. But this part that I am talking about refers to every person in the District. When the health officer believes that any person is afflicted with any of these diseases, he must submit to an examination, or a report is made to the judge, and the judge must order, and the judge names the time and place for examination. If the person does not come there for the examination, he is in contempt of court and can be fined or imprisoned, but it does not say definitely what the punishment shall be.

Now, let us trace this on down. Section 8 provides that the health officer must quarantine anyone suffering from this disease.

Mr. ALLEN. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. ALLEN. Is that disease as serious as measles or scarlet fever practically, or something of that kind that is quarantined? Why should it not be quarantined?

Mr. SANDERS of Indiana. All right, if the gentleman believes in it. I am simply pointing out what it does. Then in section 11—listen to this provision—no person can purchase medicine at a drug store to cure the disease. You have got to get a prescription from a physician, and no drug store can sell any of the medicines that can be used for the cure of these diseases. It also provides that no person can get a prescription filled unless he has a doctor's prescription, and it must be the prescription of a doctor in the District of Columbia. You can not go out into Maryland and there get a doctor's prescription and fill it here. It must be a doctor authorized to practice medicine in the District of Columbia.

Then the thirteenth provision provides that he shall be isolated. Mr. Chairman, I could go on and analyze the remainder of these provisions, and there are 21 of them; but time will not permit.

Mr. LARSEN of Georgia. What does that mean?

Mr. SANDERS of Indiana. It does not say that if a doctor thinks a person is afflicted with gonorrhea and should be quarantined it shall be done, but it says the health officer must quarantine everyone afflicted with that disease. And then, in section 21, there is a provision that any person who violates any of the provisions of this act shall, on conviction thereof, be punished for the first offense by a fine not exceeding \$100,

and for the second or any subsequent offenses by a fine not exceeding \$300, or by imprisonment in the workhouse for not exceeding 30 days, or by both such fine and imprisonment, in the discretion of the court.

Now, gentlemen of the House, I do not want you to understand that I do not realize that you have a great evil to deal with. You have, but the liberties of our people are entitled to more consideration than is given in this bill. This bill goes further than any measure I have ever seen.

Mr. KELLER. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. KELLER. Does the gentleman know about the law in his own State of Indiana?

Mr. SANDERS of Indiana. No; I do not know that I do.

Mr. KELLER. The gentleman's own State law is more drastic and does not give the protection to the unfortunate that this bill does.

Mr. SANDERS of Indiana. I will say to the gentleman from Minnesota that I do not think the law as written in Indiana is like this, but if it does not more carefully guard the rights of the individual than this bill does it is not of much value.

Mr. LEATHERWOOD. Will the gentleman yield now?

Mr. SANDERS of Indiana. Yes.

Mr. LEATHERWOOD. Is it not a fact that the State acts referred to have had written into them many of the odious things to which the gentleman has called attention, and thereby have become a practical nullity and scarcely any attention is paid to them?

Mr. SANDERS of Indiana. I do not know, but I do know this: That throughout this country men are not quarantined on account of having the diseases mentioned here; they are not quarantined while this bill says they shall be; throughout the country they do purchase medicines from the drug stores for the cure of these diseases, but this bill says no man shall do so.

Mr. KELLER. I think the gentleman is mistaken as far as quarantine is concerned, if he will read the bill.

Mr. SANDERS of Indiana. I have read that provision.

Mr. GILBERT. The gentleman is right in using the word quarantine, but the committee investigated that pretty carefully, and quarantine, as the committee understood it, means any degree of quarantine, which simply may be, as provided and permitted in this bill, an admonition by the doctor to stay in the house, or in the case of school children the quarantine might permit them to do certain labor but not to go to school. Quarantine is a very broad term as construed by the courts.

Mr. SANDERS of Indiana. Everybody knows what quarantine means, and here is the language:

That the chief health officer is authorized and directed—

It is not within his discretion, but he is directed—

to order the quarantine of any person who is found under the provisions of this act to have—

Any one of these diseases. Now, it has not been very many months since we sent a similar bill back to the committee on a motion to recommit or strike out the enacting clause.

This measure will never pass in the House of Representatives; unless you make some provision that will be helpful you will never have this sort of a law on the statute books of the United States.

Mr. LEATHERWOOD. Will the gentleman yield again?

Mr. SANDERS of Indiana. I yield.

Mr. LEATHERWOOD. I call the gentleman's attention to section 16 for the purpose of asking whether or not, in his judgment, that section could be uniformly enforced?

Mr. SANDERS of Indiana. Why, certainly not. That thing would be impossible.

Section 16 reads:

That every physician practicing medicine in the District of Columbia shall report to the health officer within 10 days any case of syphilis, gonorrhea, or chancroid which he has been employed to treat, but said report shall be used for statistical purposes and shall in no event disclose the identity of the person so treated except under the conditions in this act provided.

Certainly it is impossible to enforce that.

Mr. LARSEN of Georgia. I will ask the gentleman with reference to section 14.

Mr. SANDERS of Indiana. There are so many provisions, and I have only reached the high places and pointed out the reason why this ought not to be passed.

Mr. BLANTON. Mr. Chairman—

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, the only trouble about most of our criminal laws is that in legislatures they are largely framed to protect the rights of criminals instead of the rights of the law-abiding people.

And so it is with laws concerning immoral actions not constituting crime. We think more of protecting the one guilty of immorality than of protecting the innocent public suffering because of it. We have laws with reference to all contagious diseases—scarlet fever, for instance, which is now prevailing over Washington—and those laws provide that when a member of a family takes it they must segregate themselves, in the interest of the good of society, from the body politic. To protect the whole instead of the few they have to go to many inconveniences; they have to go through certain performances in having their furniture and clothing fumigated and their houses fumigated when the disease is over; all for the protection of society.

I am not thinking so much about the protection of the unfortunate individuals who are spoken of in this bill as I am of society. I am thinking more of the womanhood of the land, the young girls of our country and the young manhood not yet contaminated than I am the ones we are now restricting.

Mr. BOX. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BOX. I do not suppose there will be any disagreement about the desire to protect society, but I am wondering how the gentleman feels about the power that this bill gives to officials, or to others vested with this power, to abuse it in its exercise and the degree to which it subjects men to abuse who should not be subjected to it.

Mr. BLANTON. I catch the gentleman's point and I will try to answer it. This bill is designed to protect society against an individual who has a loathsome disease which he does not make public.

He does not advertise it. He keeps it a secret to himself. You have got to have some kind of restriction in such a case if you protect society. This bill was framed by a man who has had much experience in law matters, the distinguished gentleman from Kentucky [Mr. GILBERT]. He was formerly a distinguished judge on the bench. He is its author. The gentleman from Kentucky has spent much time in its preparation. The committee, composed of some lawyers and some laymen, took it under consideration and thrashed it over. In that committee there were several bills of this nature pending. There were some, more drastic, far beyond the provisions of this bill. The committee thrashed all out with the gentleman from Kentucky [Mr. GILBERT] and with members of the committee and agreed upon this measure. I know it does place some restrictions on certain individuals. There should be such restrictions placed upon them. Why should there not be? Why should they not report such a matter to their family physician? That is all it requires them to do. It requires them to report to their family physician, just like they would if they had scarlet fever, and why should they not do that?

Mr. WOLFF. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman.

Mr. WOLFF. Will it prevent these men who are working as orderlies out at Walter Reed and who have this same disease from serving and handling the food out there?

Mr. BLANTON. It provides they shall report it immediately to some physician, who would then use precautions to protect others. As it is now they do not have to do that. They can continue to do the very thing the gentleman says they are doing, but if you pass this bill they have got to report it to some physician—their family physician of their own choosing. He does not make the matter public. It is kept within his own breast and his own bosom as the physician of the individual.

Mr. LARSEN of Georgia. Will the gentleman yield now?

Mr. BLANTON. Certainly.

Mr. LARSEN of Georgia. If I understand the provisions of this bill, he can not go to a drug store here in the city of Washington and procure a prescription?

Mr. BLANTON. I am glad my colleague asked that question.

Mr. LARSEN of Georgia. Wait a moment. Let me finish the question. But there is nothing in this bill that prohibits him from going across the line over into Maryland and into any drug store across the line and getting all the medicine he wants.

Mr. BLANTON. I am glad my colleague from Georgia mentioned that because that is one of the main reasons for the passage of this bill. Let a young boy unfortunately contract a bad disease and he will not go to a doctor, when if he would go to a doctor he could be relieved in a week or ten days.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I ask for two minutes more to answer the gentleman, Mr. Chairman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Instead of going to a good physician he will sneak around to a drug store and get some kind of cheap patent medicine that is well advertised, and the first thing you know all the doctors in the land can not cure him. What he wants is expert medical advice, and expert medical treatment, and if it were my boy I would want him to go to a doctor and to the best doctor he could get. If it was my colleague's boy, he would want him to go to a doctor. He would not want him to go to a drug store around the corner and buy some 25-cent box of patent medicine that would do him more harm, possibly, than if he did not take it. That is the very purpose of this bill, to prevent it.

We ought not to get scared because our friend from Indiana [Mr. SANDERS] has moved to strike out the enacting clause. We do not have to strike it out. This is not a matter that has been brought before the House hurriedly. It is a matter that your District Committee—as one member of it, I will say—for several years has had under consideration, and I think every member of the District Committee that has been on it any length of time has had this matter before him for years and has been giving it careful consideration. I hope my colleagues will not get disturbed about some little restriction that is placed around individuals that ought to have restrictions placed around them. I think we ought to pass this bill; and I think if my colleague from Georgia knew the full necessity of it, he would be the strongest advocate on the floor here fighting for it.

Mr. LARSEN of Georgia. What about section 11 as to advertisements of medicines?

Mr. BLANTON. I do not think they ought to be advertised, concerning these particular diseases.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky [Mr. GILBERT] be given five minutes on the motion to strike out the enacting clause.

Mr. LARSEN of Georgia. Mr. Chairman, reserving the right to object, and I do not want to object and shall not object, but I think there ought also to be given a little opportunity for other gentlemen to be heard who desire to strike out the enacting clause. I think we ought to have a free discussion of this matter. This is a pretty big question. I certainly want to hear the gentleman from Kentucky, but let it be with the understanding that the gentleman from Maryland will not oppose other gentlemen being heard.

Mr. ZIHLMAN. Mr. Chairman, I wish to modify my request by asking that the gentleman from Kentucky [Mr. GILBERT] have five minutes and the gentleman from Georgia [Mr. LARSEN] have five minutes.

Mr. LARSEN of Georgia. I wish the gentleman would ask for 10 minutes additional so that other gentlemen can also discuss the matter.

Mr. ZIHLMAN. No one else has asked for such an opportunity.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that the debate on the motion to strike out the enacting clause be extended 10 minutes, the gentleman from Kentucky [Mr. GILBERT] to have five minutes, and the gentleman from Georgia [Mr. LARSEN] to have five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GILBERT. Gentlemen of the committee, I want to reiterate that my connection with this bill was not by any reason of any personal desire on my part to advance any legislation whatever. I was simply on the subcommittee to which was referred all of these different bills, and as the gentleman from Texas [Mr. BLANTON] has said, we considered this matter all through the last Congress.

We have considered the laws of many States dealing with this subject. We have consulted the health authorities all over the United States, and not only during the last Congress but during this Congress. After our deliberation the committee unanimously came to the conclusion that this bill should be presented because, more than any bill that was presented to the committee and more than the law of any State in the Union, it preserved the privacies and individual rights of the individuals. Of course, the subject itself is such that to a certain extent the privacies of the people must be invaded, and the only question you have to determine, in my opinion, is whether or not the prevalence and character of the disease is such that

for the protection of the boys and girls and the innocent public, these rights should be given up by those who are reasonably suspected by the health officer in whom we should have confidence.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. GILBERT. Yes.

Mr. LEATHERWOOD. Do you claim this power under the police power of the State?

Mr. GILBERT. Yes; under the police power.

Mr. LEATHERWOOD. You believe, then, that under the police power you can deprive the accused of the right to trial?

Mr. GILBERT. I will say to the gentleman from Utah that it goes to this extent: Of course, you can not deprive him of that right if he cares to take out a writ of habeas corpus. He is then entitled to have it determined on the merits of whether or not the health officer has reasonable ground to believe that he is so afflicted. That has been determined and I can give the gentleman the decision upholding that position.

There is one more thing I want to bring out and then I am through.

Mr. LEATHERWOOD. Will the gentleman yield for another question?

Mr. GILBERT. Yes, sir.

Mr. LEATHERWOOD. I think we are all agreed upon doing everything possible to protect not only the afflicted but the innocent. The thing that appeals to me is whether this bill does not have in it grave danger of having innocent persons wrongfully accused of something which would hold them up to shame in the community.

Mr. GILBERT. To a certain extent it does and necessarily must put great powers in the health officer, I would say to the gentleman from Utah. It enables him to say whether or not he has reasonable grounds to believe that this person is so afflicted.

Now, I want to answer the gentleman's suggestion as to the right to buy this medicine. All the medical authorities agree that this disease, more than any other disease known to the human body, requires individual treatment. What would be beneficial to a disease in its incipency would not be beneficial to one in the advanced stages, and by the application of a nostrum it was shown that a person who was afflicted in its incipency took a prescription for one in the advanced stages and became totally blind.

It is not a pleasant thing to talk about; but whenever you go to the water-closet you find a little circular placed on the door, "Go to the drug store and get a prescription No. so-and-so" or "Call for so-and-so," and that is plastered all over this country. Of course, I do not know, but the medical authorities agree that it is absolutely disastrous in its effect. It was for that purpose, and for that purpose only, that we incorporated in the bill that they must have a prescription from a physician, so that they would be assured that cases would get individual treatment. That provision of the bill has been upheld as constitutional and salutary by three different high courts of this country.

As to the wisdom of this legislation and this particular bill, I want to say that I have letters of recommendation from the United States Social Hygiene Board; I have them from the medical department of the Army approving this bill. I have it from civic workers throughout the United States. This bill protects the citizens that do not have this disease from its terrific ravages.

Mr. LARSEN of Georgia. Mr. Chairman and gentlemen of the committee, there are several provisions in the bill to which I can not subscribe. Take, for instance, section 11. It says:

That it shall be unlawful for any person, firm, or corporation to advertise within the District of Columbia any medicine or remedy, by number of prescriptions or otherwise, for the treatment, cure, or prevention, etc.

I can understand very well that certain classes of men would favor a provision like that in legislation. There is probably not a doctor practicing in the city that would object to it. But, gentlemen, it is not every man in this country that is practicing medicine that knows all about it. There are many men who have sense enough to put up prescriptions that doctors themselves recommend. If we want to do something radical, why not regulate the trade; why not regulate the druggists; why not provide that the druggist who is known to sell medicines, patent or otherwise, unfit for this specific purpose for which recommended shall be punished? Why say that a man shall not advertise? I do not believe that is legal.

Mr. KENT. Will the gentleman yield?

Mr. LARSEN of Georgia. Yes.

Mr. KENT. Has the gentleman ever seen an advertisement designed to foster the sale of medicine for the prevention or cure of diphtheria or scarlet fever?

Mr. LARSEN of Georgia. I do not know that I have, but I assume that there are such instances.

Mr. KENT. The gentleman would not approve of advertisements of that kind?

Mr. LARSEN of Georgia. I would if they were good remedies. I would not try to prevent them by legislation if they were good remedies. I think if my child had diphtheria or scarlet fever I would want to get a doctor to prescribe for it, but that is no reason why I would object to an advertisement of a remedy which was thought to be efficient or which other men said was efficient.

Mr. BLANTON. Will the gentleman yield?

Mr. LARSEN of Georgia. Yes.

Mr. BLANTON. Suppose a physician should determine that the taking of a patent medicine would result in death in most cases in scarlet fever and diphtheria, would the gentleman stop the advertisement of that patent medicine?

Mr. LARSEN of Georgia. I do not believe that the doctors think anybody is going to get killed in this way.

Mr. BLANTON. But the consensus of most of the doctors is that these boys ought to go to a physician.

Mr. LARSEN of Georgia. Oh, yes; but the very thing you are doing will prevent his going to a doctor. Under section 13 you say that he shall be isolated. The boy knows that if he goes to a doctor he will be isolated. He will say, "Oh, yes; John Smith was a fool, he went to a doctor and he is out here in quarantine, and I won't go." The result may be that the boy will walk around and die of the disease. Why, gentlemen, I have seen some politicians walk around straddling on issues. They have straddled so long until they walk straddle legged. If you enact the proposed law, before long they will be up before some health officer for examination. [Laughter.]

Why should we want to do such a foolish thing? I assume that the persons coming within the provisions of the bill would be isolated according to the disease with which they may be afflicted. Therefore you must have at least three quarantine stations. What funds do you provide for them? How long are they to be kept in quarantine? Do you know what this bill would cost, have you figured it up, can you calculate it?

The CHAIRMAN. The time of the gentleman from Georgia has expired. All time has expired. The question is on the motion of the gentleman from Indiana [Mr. SANDERS] to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 10, noes 15.

Mr. LARSEN of Georgia. Mr. Chairman, if nobody else does it, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Georgia makes the point of order that there is no quorum present. The Chair will count.

Mr. LARSEN of Georgia. Mr. Chairman, I withdraw that and call for tellers.

Mr. SANDERS of Indiana. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Indiana that the committee do now rise.

The question was taken, and the motion was rejected.

Mr. LARSEN of Georgia. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Georgia makes the point of order that there is no quorum present. The Chair will count. [After counting.] Forty-five Members present; not a quorum.

Mr. ZIHLMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes, and had come to no resolution thereon.

ADJOURNMENT.

Mr. ZIHLMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until Monday, March 3, 1924, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

387. A letter from the Secretary of the Navy, transmitting copy of letter from the Judge Advocate General of the Navy, dated February 4, 1924, describing certain valueless records which are no longer needed for use in connection with the transaction of public business, and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

388. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1924, to remain available until June 30, 1925, for the eradication of the foot-and-mouth and other contagious diseases of animals, \$1,000,000 (H. Doc. No. 211); to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAUGEN: Committee on Agriculture. H. R. 7111. A bill to promote American agriculture by making more extensively available by expanding the service now rendered by the Department of Agriculture in gathering and disseminating information regarding agricultural production, competition, and demand in foreign countries in promoting the sale of farm products abroad, and in other ways; without amendment (Rept. No. 248). Referred to the Committee of the Whole House on the state of the Union.

Mr. MADDEN: Committee on Appropriations. H. R. 7449. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes; without amendment (Rept. No. 249). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM of Pennsylvania: Committee on the Judiciary. S. 1192. An act to confer jurisdiction upon the United States District Court, Northern District of California, to adjudicate the claims of American citizens; with an amendment (Rept. No. 253). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNEIL: Committee on Rules. H. Res. 169. A resolution providing for the immediate consideration of H. R. 518; without amendment (Rept. 254). Referred to the House Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6233) granting a pension to Louise Donovan, and the same was referred to the Committee on Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 7449) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BACON: A bill (H. R. 7450) to provide for the promotion of physical education in the United States through co-operation with the States in the preparation and payment of supervisors and teachers of physical education, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education.

By Mr. BUCKLEY: A bill (H. R. 7451) for the purchase of a site and the erection of a public building thereon to be used as a post office at Chicago, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. HOWARD of Oklahoma: A bill (H. R. 7452) for the payment to certain members of the Wisconsin Band of Pottawatomie Indians of their share of the proceeds of sale of tribal lands; to the Committee on Indian Affairs.

Also, a bill (H. R. 7453) to amend an act approved March 3, 1909, entitled "An act for the removal of the restrictions on alienation of lands of allottees of the Quapaw Agency, Okla., and the sale of all tribal lands, school, agency, or other buildings on any of the reservations within the jurisdiction of such agency, and for other purposes"; to the Committee on Indian Affairs.

By Mr. MORTON D. HULL: A bill (H. R. 7454) to empower the President to classify certain offices, places, and employments under the provisions of the civil service law; to the Committee on the Civil Service.

By Mr. KAHN: A bill (H. R. 7455) to authorize the Secretary of War to convey to the States in which located, Government owned or controlled approach roads to the national cemeteries and national military parks, and for other purposes; to the Committee on Military Affairs.

By Mr. FAVROT: A bill (H. R. 7456) providing for the purchase of a site and the erection of a public building thereon at Covington, St. Tammany Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7457) providing for the purchase of a site and the erection thereon of a public building at Baton Rouge, East Baton Rouge Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7458) providing for the purchase of a site and the erection thereon of a public building at Plaquemine, Iberville Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7459) providing for the purchase of a site and the erection thereon of a public building at Bogalusa, Washington Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7460) providing for the purchase of a site and the erection thereon of a public building at Donaldsonville, Ascension Parish, La.; to the Committee on Public Buildings and Grounds.

By Mr. NEWTON of Minnesota: A bill (H. R. 7461) amending the provisions of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes," approved March 1, 1921, which amends the act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, approved June 5, 1920; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 7462) to amend the interstate commerce act and the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7463) to amend the interstate commerce act by providing that telegraph and telephone and cable companies shall be made subject to the act and be required to file and publish tariffs and be liable for damage sustained by any persons by reason of the negligence or omission of such company; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7464) to amend paragraphs (18), (19), (20), and (21) of section 1 of the act to regulate commerce, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITHWICK: A bill (H. R. 7465) authorizing the Secretary of War to lease or, in his discretion, to convey by quitclaim deed a certain tract of land in the military reservation of Santa Rosa Island; to the Committee on Military Affairs.

By Mr. CLARK of Florida: A bill (H. R. 7466) to regulate the operation of motor-propelled vehicles in the District of Columbia and to provide penalties for its violation; to the Committee on the District of Columbia.

By Mr. FULMER: A bill (H. R. 7467) to amend subdivision (a) of section 19, Federal reserve act; to the Committee on Banking and Currency.

By Mr. NELSON of Wisconsin: A bill (H. R. 7468) for the erection of a post-office building at Madison, Wis.; to the Committee on Public Buildings and Grounds.

Also, resolution (H. Res. 202) authorizing the Committee on Patents to inquire into the operations of the United States Army Air Service, Naval Bureau of Aeronautics, the United States Mail Air Service, or any agency, branch, or subsidiary of either; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 7469) granting an increase of pension to David W. Graves; to the Committee on Pensions.

By Mr. CARTER: A bill (H. R. 7470) granting a pension to Mary Marker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7471) granting an increase of pension to James A. Garner; to the Committee on Pensions.

Also, a bill (H. R. 7472) granting a pension to Mary A. Raglin; to the Committee on Pensions.

Also, a bill (H. R. 7473) granting an increase of pension to Sarah A. Strawn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7474) granting a pension to Adidamlah Reeves; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 7475) granting a pension to Laura C. Dupree; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 7476) granting a pension to John Abear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7477) granting a pension to David Abear; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 7478) for the relief of Liberty-loan subscribers of the Robbinsdale State Bank, Robbinsdale, Minn.; to the Committee on Claims.

Also, a bill (H. R. 7479) for the relief of Joseph Lane; to the Committee on Claims.

Also, a bill (H. R. 7480) for the relief of Dwight L. Wagner; to the Committee on Naval Affairs.

By Mr. PURNELL: A bill (H. R. 7481) granting a pension to Sarah J. Harper; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 7482) granting a pension to Adaline LaFollett; to the Committee on Invalid Pensions.

By Mr. ROESION of Kentucky: A bill (H. R. 7483) granting a pension to Taylor Wagers; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 7484) granting an increase of pension to Bell L. Duncan; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 7485) to make a preliminary survey of the Cimarron River, in Oklahoma, with a view to the control of its floods; to the Committee on Flood Control.

By Mr. TINCHER: A bill (H. R. 7486) granting an increase of pension to Elizabeth Tedrow; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 7487) granting an increase of pension to Mrs. Martin A. King; to the Committee on Pensions.

Also, a bill (H. R. 7488) granting a pension to Margaret E. Farmer; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1459. By the SPEAKER (by request): Petition of National Association of Table Manufacturers, Chicago, Ill., urging Congress to effect a reduction in first-class rates by making drop-letter rate 1 cent; to the Committee on the Post Office and Post Roads.

1460. Also (by request), petition of citizens of Cleveland, Ohio, favoring tax reduction; to the Committee on Ways and Means.

1461. Also (by request), petition of citizens of Pittsburgh, Pa., requesting repeal of war taxes on motor vehicles and motor parts; to the Committee on Ways and Means.

1462. Also (by request), petition of the National Association of Builders' Exchanges, opposing a bonus bill and favoring appropriations to provide for the disabled soldiers; to the Committee on Ways and Means.

1463. Also (by request), petition of the National Association of Builders' Exchanges, favoring a constitutional amendment that would authorize an assessment of income tax on incomes derived from bonds issued by States; to the Committee on Ways and Means.

1464. Also (by request), petition of board of aldermen of the city of New York, urging Congress to extend relief to the starving and needy people of Germany; to the Committee on Foreign Affairs.

1465. By Mr. ALDRICH: Petition of Hope Council, No. 6, Junior Order United American Mechanics, of Westerly, R. I., favoring passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1466. By Mr. COOK: Petition of Machinists' Local, No. 450, and Sheet Metal Workers' Local, No. 480, of Logansport, Ind., in favor of the Brookhart-Hull bill; to the Committee on Naval Affairs.

1467. Also, petition of Charter Oak Council, of Hartford City, Ind., in favor of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1468. By Mr. CRAMTON: Resolution of the Polar Bear Association, Detroit, Mich., urging favorable action on an adjusted compensation act for former service men; to the Committee on Ways and Means.

1469. By Mr. ELLIOTT: Petition of postal employees at New Castle, Ind., in re reclassification act and salary increase to postal employees; to the Committee on the Post Office and Post Roads.

1470. By Mr. FULLER: Petition of the American Legion posts of Sangamon County, Ill., praying for the passage of an

adjusted compensation bill; to the Committee on Ways and Means.

1471. Also, petition of the Chamber of Commerce of East St. Louis, Ill., opposing any amendment of the transportation act; to the Committee on Interstate and Foreign Commerce.

1472. Also, petition of sundry citizens of La Salle County, Ill., favoring repeal of excise taxes on automobiles and accessories; to the Committee on Ways and Means.

1473. By Mr. GARBER: Petition of the executive committee of the Oklahoma Wheat Growers' Association, of Enid, Okla., dated February 21, 1924, recommending the retention of the tax-exempt security law, etc.; to the Committee on Ways and Means.

1474. By Mr. GRAHAM of Pennsylvania: Petition of the Philadelphia Board of Trade, favoring House bills 5843 and 5429; to the Committee on Foreign Affairs.

1475. By Mr. GREENE of Massachusetts: Petition of Octave O. Desmarais, manager of the Coca Cola Bottling Works, Fall River, Mass., urging the repeal of tax on carbonated beverages; to the Committee on Ways and Means.

1476. By Mr. KING: Petition of the Charles De Crane Post of the American Legion, of Atkinson, Ill., favoring the adjusted compensation bill; to the Committee on Ways and Means.

1477. By Mr. McNULTY: Petition of the Men's Club of the First Baptist Church of Bayonne, N. J., in favor of Johnson immigration bill; to the Committee on Immigration and Naturalization.

1478. By Mr. MORROW: Petition of Chamber of Commerce, Carlsbad, N. Mex., F. E. Hubert, chairman of the transportation committee, opposing any change or amendment to the transportation act; to the Committee on Interstate and Foreign Commerce.

1479. Also, petition of the Lordsburg Woman's Club, Lordsburg, N. Mex., in support of Senate bill 3855, the Lenroot substitute bill; to the Committee on Indian Affairs.

1480. By Mr. TAGUE: Petition of Amos Lodge, No. 27, Independent Order of B'nai B'rith, condemning the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1481. By Mr. TEMPLE: Petition of auxiliary of the Edwin Scott Linton American Legion Post, Washington, Pa., favoring the adjusted compensation bill; to the Committee on Ways and Means.

#### SENATE.

MONDAY, March 3, 1924.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee for these days of brightness and of cheer, the harbingers of the good time near at hand, when winter shall be past and the sound of the singing of birds shall be heard in the land. We do ask Thee to give unto us strength of purpose and such ideals of devotion to duty that we may realize that we can make the world a happier and a better place in which to live; that we can add to its cheer and deliver many from its sorrow and gloom. The Lord our God help us continually. We humbly ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Friday, February 29, 1924, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Adams	Curtis	Hale	McKellar
Ashurst	Dale	Harrell	McLean
Ball	Dial	Harris	McNary
Bayard	Dill	Harrison	Mayfield
Borah	Edge	Heflin	Moses
Brandegee	Edwards	Howell	Norris
Brookhart	Elkins	Johnson, Minn.	Oddie
Broussard	Ernst	Jones, N. Mex.	Overman
Bruce	Ferris	Jones, Wash.	Pepper
Bursum	Fess	Kendrick	Phipps
Cameron	Fletcher	Keyes	Pittman
Capper	Frazier	King	Ralston
Caraway	George	Ladd	Ransdell
Copeland	Gerry	La Follette	Reed, Pa.
Couzens	Glass	Lenroot	Robinson
Cummins	Gooding	Lodge	Sheppard